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Tuesday, 27 November 2007, 3 p.m.

New York

President:	Mr. Natalegawa	(Indonesia)
Members:	Belgium	Mr. Verbeke
	China	Mr. Wang Guangya
	Congo	Mr. Biabaroh-Iboro
	France	Mr. Ripert
	Ghana	Mr. Christian
	Italy	Mr. Spatafora
	Panama	Mr. Arias
	Peru	Mr. Tincopa
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Churkin
	Slovakia	Mr. Matulay
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Khalilzad

Agenda

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2007/653)

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07-61468 (E)

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2007/653)

The President: I should like to inform the Council that I have received a letter from the representative of the Sudan, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite the representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mohamad (Sudan) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39, of the provisional rules of procedure, to Mr. Jan Eliasson, Special Envoy of the Secretary-General for Darfur.

It is so decided.

I invite Mr. Eliasson to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

It is so decided.

I invite Mr. Guéhenno to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur, document S/2007/653.

At this meeting, the Security Council will hear briefings by Mr. Jan Eliasson, Special Envoy of the Secretary-General for Darfur, and Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

I now give the floor to Mr. Eliasson.

Mr. Eliasson: I thank you, Sir, for giving me this opportunity to brief the Council on the Darfur peace process. Let me begin by giving on overall assessment of the situation in Darfur. I will then outline the latest developments and the proposed way forward.

When the Secretary-General briefed the Council on 24 October, it will be recalled that he expressed serious concern about the overall security and humanitarian situation in Darfur, as well as the continuous difficulties with the deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). He also indicated his preoccupation with the frictions between the movements, as well as between the Sudan People's Liberation Movement (SPLM) and the National Congress Party (NCP) within the Government of National Unity of the Sudan and their effects on the Darfur political process.

It is, to begin with, important to recognize that those issues are interrelated. Slow progress in one aspect of our collective response to the Darfur crisis impacts the progress in other areas. The political process, the peacekeeping operation and the humanitarian efforts are mutually reinforcing.

There is continued reason to be concerned by the present security and humanitarian situation, which clearly affects the political process. In October alone, more than 30,000 civilians were displaced by clashes between Government forces and non-signatories, as well as among Darfur movements themselves, bringing the total number of the displaced this year to almost 280,000 persons. Tragically, seven Sudanese humanitarian workers were killed in Darfur in October — the highest monthly casualties since July 2006. Fighting over the past two days in Chad

underlines the volatility of the situation in the region. All those developments reinforce the urgency of finding a viable peace settlement.

Inter-tribal conflicts over land and water resources continue and persist. There is increasing concern of Arab unrest and militancy, as well as of a spillover of the conflict into Kordofan. Tensions in internally displaced persons (IDPs) camps are growing. The raids of Government forces into camps, as well as incidents in and around the camps, have led to loss of life, destruction of shelters and violations of human rights. Humanitarian access continues to be impeded. The recent forced relocation of IDPs in South Darfur is particularly worrisome. Those developments on the ground do not foster the atmosphere of safety, mutual trust and respect so sorely needed in Darfur. Let us recall that the Government of the Sudan has the primary responsibility for upholding security, justice and respect for international law, including through cooperation with the International Criminal Court.

Exactly one month ago, on 27 October, the Darfur peace talks were launched in Sirte, Libya, under the auspices of the African Union (AU) and the United Nations and chaired by AU Special Envoy Salim Ahmed Salim and me. They were attended by the Government of the Sudan and representatives of Darfurian movements, the regional partners Chad, Egypt, Eritrea and Libya — also as host country — and of the international community, as well as by civil society, traditional and women's groups representatives from Darfur.

The tone of the interventions at the Sirte talks was positive and constructive. Delegates expressed support for the AU-United Nations-led process and made commitments to reach a political settlement. The participation of representatives of civil society was important, reminding us that addressing the plight of the people of Darfur and the conflict's root causes must be at the centre of our efforts. The people of Darfur demand and strongly hope for protection and security, compensation and reparation, safe and voluntary return home, as well as recovery and development projects.

There was widespread recognition in Sirte that there is no military solution to the conflict in Darfur. In that context, Mr. Salim and I welcomed the Government of the Sudan's announcement of a unilateral cessation of hostilities on the first day of the talks. Despite our request that it be upheld, the ceasefire was reportedly broken. As Council members are aware, we had hoped to secure a similar commitment from all parties. In fact, that was one of the reasons why we had issued inclusive invitations to the opening session. However, the movements were not prepared to reciprocate that commitment due to existing divisions, the absence of some key personalities and, as they stated, a lack of trust in the intentions of the Government of the Sudan.

In our meetings with the parties, Mr. Salim and I emphasized the importance of creating an environment conducive to political talks. We noted the need for confidence-building measures that could have a concrete impact on the security and welfare of the population in Darfur, in particular in the camps, where the situation is volatile. We cautioned against any action, military or political, that could undermine the trust between the parties and within the population of Darfur.

We also made it clear to the Government of the Sudan that the involvement of civil society and other stakeholders is critical and that we expected all efforts to be made to facilitate the dialogue. Regrettably, out of the 25 civil society representatives we had invited to the opening session in Sirte, only 13 were provided with the possibility to travel.

We strongly made the point to the movements that they should not delay their work on reaching agreement on common positions and on a joint delegation to the substantive talks while they were working on their unification as movements.

As the Council is aware, some of the leading personalities of the Darfurian movements did not come to Sirte. Some requested additional time for unifying activities and for the preparation of positions. Others expressed reservations with regard to the personalities invited and to the venue for the talks. Nevertheless, we must make a distinction, I believe, between those who did not come to Sirte but are still engaged in the peace process, on the one hand, and those who have rejected the talks or presented unrealistic preconditions for them, on the other. All parties must be aware that undermining the peace process comes at a price.

Of course, there is reason to be disappointed that some key personalities did not attend the opening of the talks in Sirte. Questions have been raised about whether, for that reason, the talks should have been postponed. Events of the past several months have

clearly shown, in my view, that there is nothing to gain from delays. A gradual deterioration in the political, security and humanitarian field has been evident since the summer. The launch of the talks provided a catalyst for the movements to intensify their restructuring work. It was also essential to launch the talks simultaneously with the start of the UNAMID deployment. Let us also recall that this, after all, was the first time that parties to the conflict had met face-to-face since the Darfur Peace Agreement was signed in May 2006.

The Darfur peace process should now be considered irreversible. There is no way back. It is critical to stay the course and maintain the political momentum.

It is important to note that invitations to Sirte were issued on an individual and inclusive basis for the opening session only. We had originally envisaged that the weeks following the opening would be devoted to workshops and further preparations among the movements, not least to choose their negotiation teams. Because of the ongoing consultations among them in Darfur and Juba, in the Sudan, we have had to readjust our workplan.

First of all, in an effort to intensify high-level contacts with the movements, we are now refocusing much of our work on Darfur and Juba. Secondly, we are working hard on the selection of representatives of civil society and other stakeholders to take part in the continued political process. Thirdly, we are coordinating even more closely with our regional partners.

For the African Union and United Nations to be able to start the workshops and issue the invitations to the substantive talks, the movements need to agree on common positions and form negotiation teams for the talks.

Some of the developments in Juba over the past few weeks have been encouraging in that respect. The SPLM has assisted the movements to coalesce around two major groups — the 11 different faction representatives working to reconstitute the Sudan Liberation Movement/Army (SLM/A) and five factions which have agreed to work together under one umbrella in what is called the new United Resistance Front (URF). Those two groups have pledged to coordinate their positions on the issues for the talks. The movements now intend to return to Darfur to connect with field commanders and other factions on the ground in order to solidify their alliance.

In addition to those groups, there are ongoing efforts within SLM/Unity in Darfur to restructure and coordinate positions. As a result of those efforts, we hope to soon see two or three groups of movements instead of the many factions we have worked with during the past year.

These are positive developments, which, however, should be welcomed with a dose of caution. Unification efforts remain fragile. Loose coalitions and alliances have, in the past, failed due to competition over leadership. Thus far, the movements have mainly been speaking about unification and reorganization. They have not discussed, in depth, substantive issues or negotiation teams. We hope that they will use the coming weeks to do so. Mr. Salim and I are appreciative of the initiative by the SPLM to support the movements' unification efforts, but it is important to state again that the movements should stay focused on preparing for the negotiations. The more ambitious objective of reaching full unification may cause further delays in the peace process.

In that respect, movements may need further facilitation by the African Union and United Nations Mediation. Should they request it, we would be prepared, in contact with our regional partners, to host a meeting for the movements as soon as possible. Such an Arusha-style meeting — I am referring to the meeting held in August in Arusha, Tanzania — could provide them with an opportunity to crystallize their positions, nominate their teams and finalize their preparations for the talks to start soon thereafter.

We will also use the next few weeks to ensure that the voices of the people of Darfur are channelled into the political process. We are working closely with civil society, traditional leaders and Arab and women's groups to secure nominations to form an advisory council. Such an advisory council could be a primary channel of consultations between civil society and the Mediation. Here, the internally displaced persons and refugees are an important constituency which should be included in any consultation process. Access to them is, however, being obstructed by intimidation in different forms, also from within one of the movements. The IDPs and refugees were not present in Sirte. We are working intensely to ensure that they are informed of the developments in the political process.

It is also important that the Arab population of Darfur be represented as part of civil society and within movement coalitions.

The Secretary-General warned in his statement to the Council in October of the lack of preparedness and cohesion inside the movements. I gave a similar picture, as members may recall, of continuing fragmentation when I briefed the Council in June. Most movements remain sceptical about the Government's claim of renouncing the military solution. Some movements also continue to be engaged in hostilities.

Other movements have insisted that the delegation of the Government of the Sudan be one of national unity, with SPLM and Minni Minnawi represented. The tensions between SPLM and NCP and the stand-off between Minnawi and the NCP on the issue of Minnawi's demand for separate representation at the talks add to the difficulties now. All efforts must be made to ensure that these issues are resolved and that progress is achieved on implementing the Comprehensive Peace Agreement. It is also important for the political process that UNAMID deployment proceed on schedule.

Taking all those factors into account, Mr. Salim and I believe that we have to allow reasonable time for the composition of the Government delegation and for the movements to finalize their preparations for the talks. We should not risk the credibility of this process by rushing to convene substantive talks if we do not have a critical mass of participants ready for them. At the same time, we must maintain the momentum through continuous engagement with the movements and with the Government of the Sudan and remind them of their commitments to the African Union and the United Nations and of their obligations to the people of Darfur. Protracted delays in reaching internal consensus on the part of the Government and the movements may otherwise become serious impediments to the start of substantive negotiations on Darfur.

Over the next two weeks, Mr. Salim and I, together with our chief mediators, will be in close contact with the parties. We plan to meet with our regional partners on 4 December in Egypt to determine the course ahead: time frames for a possible Arusha-style meeting, as I just mentioned, the workshops and substantive talks. The role of the countries of the region is critical, as was evident at the regional meeting that Mr. Salim and I convened in Eritrea on 14 November. After the meeting in Egypt, I am planning to proceed to the Sudan to visit the movements in the field and movement leaders and meet with other stakeholders.

To conclude, I believe we should all remain confident of the potential of this process to bring about a peace agreement for Darfur. At the same time, we have to recognize that the atmosphere now is less positive than it was last summer at the time of the adoption of Security Council resolution 1769 (2007) and the successful Arusha consultations. Factors beyond our control have, undoubtedly, impeded the process.

Mr. Salim and I will continue to do our utmost to facilitate the peace process. We will, however, only be able to make progress if the parties show seriousness, political will and a focused commitment to peace. When the substantive talks begin, the parties should come prepared to make the compromises necessary to reach a just and lasting solution. The continued support of the international community, in particular the Security Council, for our efforts is critical, as demonstrated by the impact of Council resolution 1769 (2007). While we now urge the parties to intensify their preparations for the talks, we must not allow them to derail the process. We — as much as they — must keep the fate of the people of Darfur at the centre of our attention.

The President: I thank Mr. Eliasson for his briefing.

I now give the floor to Mr. Guéhenno.

Mr. Guéhenno (*spoke in French*): We are at a crossroads in the African Union-United Nations Hybrid Operation in Darfur (UNAMID) deployment process. Many of the issues are familiar, and they continue to be extremely sensitive. First among them is of course the security and humanitarian situation on the ground, which remains very worrying, as was just described by Mr. Eliasson. Joint Special Representative Adada and Force Commander General Agwai are involved in intensive discussions with the Government to address the situation in the Kalma camp. It is critical to ensure that the disarmament of that camp complies with international humanitarian standards since it will set a precedent for securing other camps in Darfur. Secondly, the deployment of UNAMID is facing fundamental challenges in the areas of force

generation, the final identification of the force composition and a number of bureaucratic impediments.

I would like to focus my remarks today on the ongoing actions to address these issues and to highlight the implications of any failure to address them in a timely fashion. I would also like to apprise the Council of the challenges we must address in our discussions with the Government of the Sudan on the negotiations of the UNAMID status-of-forces agreement.

A summary of preparations for the transfer of authority from the African Union Mission in the Sudan (AMIS) to UNAMID was presented in the Secretary-General's most recent monthly report (S/2007/653), which reflects our efforts in a number of areas, including the establishment of initial operating capability for UNAMID headquarters, completion of staffing for the Interim Force and Police Headquarters, the shift to a three-sector structure, the appointment and deployment of senior leadership and the ongoing logistical arrangements required to support UNAMID personnel.

Since the report was submitted, the first elements of the heavy support package for AMIS have been deployed to Darfur: the 140-strong Formed Police Unit from Bangladesh arrived in Nyala on 21 November and an advance party of 135 personnel from the Chinese engineering unit arrived in Nyala on 24 November. These deployments are encouraging and we expect the advance party of a second Formed Police Unit from Nepal to arrive in the mission area on 15 December, followed by its main body on 7 January. Approximately 100 individual police officers will arrive in December, in addition to the 56 already deployed.

We also expect the Police Commissioner and one of his Deputies, the Military Chief of Staff of General Agwai, all Sector Commanders and Deputy Sector Commanders, the Deputy Chief of the Joint Mission Analysis Centre (JMAC), as well as some 75 per cent of all staff officer positions serving in the Force and Sector headquarters to be deployed by the end of December. Finally, and pending the provision of the final load lists that accompany the deployments, including logistics and airlift preparations, the deployment of the following heavy support package units is scheduled to commence in January 2008: the main body of the Chinese engineering unit, the Multi-Role Logistics Unit and Sector Reserve Company from Bangladesh and the Level II hospital from Nigeria.

(*spoke in English*)

Nevertheless, we are facing serious gaps in UNAMID force requirements in spite of our best efforts, including by the Secretary-General himself. Five weeks before the transfer of authority, UNAMID is still short of critical mobility capabilities: one heavy and one medium transport unit, three military utility aviation units — that is 18 helicopters — and one light tactical helicopter unit — that is six helicopters. In addition, as a result of pre-deployment visits, pledges for one reconnaissance company were withdrawn; consequently, the gap in capability has grown since my last briefing.

If no appropriate offers for those missing units are identified by early 2008, it may become necessary to revert to the Council to consider options to mitigate the lack of air mobility. That may require an increase in troops. But more troops will not replace military aviation, and they would also require more logistic support, more land and more water and would likely not appear in Darfur until late 2008. Another suboptimal last-resort measure would be — if I may use the word — to "borrow" those capabilities from other missions. While we are taking all options into account in making contingency plans, it is important to stress that our initial plans reflected minimum requirements and do not allow for such flexibility.

As the Council is aware, it has been our highest priority to assemble a force which is able to implement the mission's mandate and in so doing to protect the people of Darfur and indeed to protect itself. In identifying troop contributors we have therefore focused on ensuring that they have the required capabilities and are able to deploy in a timely manner. We have also sought to assemble a balanced force, which would unquestionably meet the African character criterion referred to in resolution 1769 (2007) and whose impartiality would be beyond reproach, whether it is from the rebels' perspective or that of the Government of the Sudan.

From among the pledges we have received, the African Union and the United Nations put together a list in accordance with those priorities and transmitted it to the Government of the Sudan on 2 October. We believe that the troop-contributing countries which have been identified and the package transmitted to the

Government of the Sudan are, under the political constraints we have had to address, best positioned to undertake the arduous peacekeeping work which lies ahead in Darfur.

While we have not received a direct response, the Government has made clear, and made public, its reluctance to accept certain non-African units in the force, citing concerns regarding the maintenance of public perceptions of the African character of the force as well as an inability to provide security guarantees to certain non-African elements. Three units in particular have been singled out: the infantry battalion from Thailand, the force reserve/special forces and sector reserve companies from Nepal and the Nordic engineering company.

As I informed the Council in my briefing on 14 November, there are no alternatives for the inclusion of the non-African units. First, the Thai battalion — well-trained and fully equipped — was selected based on its readiness to deploy to Darfur in early January. It will be essential for UNAMID to have an effective deterrent and self-defence capacity as close to the transfer of authority as possible. On that basis, the battalion must absolutely be retained. Secondly, Nepal is the only country to have offered a special forces company for the overall UNAMID force reserve, a vital element which allows a robust reserve response to threats against the mission. The Haskanita incident highlights that need.

And finally, the Nordic offer of a composite engineering unit gives UNAMID critical capabilities to set up the mission logistically and enable other units to come in, particularly those with less than ideal self-sustainability. We had planned for the unit to deploy as early as possible in January, and, once it provides this early impact, it will be drawn down over the latter part of 2008. It is a surge-enabling capacity to launch the mission effectively. Its exclusion would present a serious loss for UNAMID's ability to establish and consolidate its presence quickly in an area as vast as Darfur.

That said, together with the African Union, we have made a sincere effort to address the Sudanese concerns related to the perception of the force.

Following my discussions with the Government, a special task force, led by the DPKO Military Adviser, travelled to Cairo and Addis Ababa from 19 to 22 November to ascertain the possibility of accelerating the deployment of the Egyptian and Ethiopian battalions selected for UNAMID. We were pleased to receive the confirmation of the Governments of Egypt and Ethiopia as to the availability and readiness of their respective battalions to deploy as early as possible following the transfer of authority, beginning with the deployment of advance elements in January 2008. Reconnaissance operations by both countries will take place in the first half of December: Ethiopia from 1 to 6 December, Egypt from 8 to 13 December. Their actual deployment, however, will also require accelerated logistics and airlift preparations.

In the meantime, all other ongoing preparations continue, including pre-deployment visits. As Council members are aware, it is critical that, once identified, all troop-contributing countries initiate preparations for deployment as rapidly as possible. Every delay or suspension of pre-deployment activity will have a direct and negative impact on the readiness of troops to deploy to UNAMID in the early stages of 2008.

It is in that context that we are deeply concerned by public remarks being made by Sudanese Government officials calling into question the African Union-United Nations approach in finalizing force composition. Those remarks, particularly in the absence of a formal response from the Government on this issue, create serious uncertainty with regard to the Government's commitment to the deployment of UNAMID.

The speedy and effective deployment of UNAMID also depends on the Government's cooperation with regard to facilitating the acquisition of land and flight operations rights for United Nations aircraft. Joint Special Representative Adada has informed us that he has still not been able to obtain the authorization of the Sudanese Civil Aviation Authority for the deployment of six helicopters to El Fasher. UNAMID has also not been given permission to fly at night. But the mandate to protect civilians does not end at sunset. The mission has still not received land in El Geneina and Zalingei, and the Government has impounded UNAMID communications equipment at the El Fasher airport for weeks. The land issue is particularly critical, since units are beginning to deploy. If the Government does not immediately give us the land we need, we will have to hold back some units. Moreover, local authorities in El Obeid have asked UNAMID to stop using the El Obeid logistics

base because "it was created to serve the United Nations Mission in the Sudan".

As the Council is also aware, we are in the process of negotiating a status-of-forces agreement with the Sudan. On 2 November, we transmitted to the Government a draft agreement that had been agreed with the African Union and was based on the model status-of-forces agreement approved by the General Assembly. On 13 November, we received an alternative text from the Government. The Government's text includes proposals that, our experience has shown us, would make it impossible for the mission to operate, in particular with regard to freedom of movement of personnel and the integrity of its communications.

While this is not the forum for a detailed discussion of the document, it is useful to note that the Sudanese text includes a provision for the Government to "temporarily disable the communications network" in case of security operations by the Government in exercise of its sovereign rights. There is also a proposal requiring UNAMID to provide "advance notification to the Government for all staff, troop and asset movements related to UNAMID". The Council will appreciate what such provisions would do to the ability of a force commander to respond to an unforeseen crisis that required rapid and robust action in defence of civilians.

We were also surprised to see remarks in the media in which the Sudanese Government revisited the question of UNAMID accoutrement. That issue was discussed with the Sudanese Foreign Minister when the Council visited the Sudan in June 2006, with the clear request that the Mission's accoutrement would be determined on the basis of the 5 June 2007 joint AU-UN report on the Hybrid Operation. On that basis, we have been making preparations for United Nations personnel to wear a blue beret with a United Nations insignia and an AU patch on their sleeve to reflect the joint nature of the operation. There are privileges and immunities associated with the wearing of the blue beret and United Nations insignia that are simply non-negotiable to troop-contributing countries.

In order to overcome the current uncertainty, the Secretary-General is discussing with Chairperson Konaré how to further engage the Sudanese authorities at the strategic level. Extensive and detailed technical explanations have been provided repeatedly, including at a high level, to the Government of the Sudan, and the remaining — and fundamental — differences cannot be attributed to a lack of consultations. That is why the Secretary-General is also reiterating his appeal to Council members and key regional leaders to make additional concerted efforts to persuade the Sudanese authorities to support the deployment of an effective UNAMID force. Ultimately, a strategic decision on the part of the Government of the Sudan is necessary if we are to achieve our common goal: peace and security in Darfur and, indeed, in all of the Sudan.

Should the anticipated discussions fail to clear the path for the deployment of an effective force, the international community will be confronted with hard choices: do we move ahead with the deployment of a force that will not make a difference, that will not have the capability to defend itself and that carries the risk of humiliation of the Security Council and the United Nations and tragic failure for the people of Darfur?

Five months ago in Khartoum, the Council received President Bashir's agreement on African Union-United Nations plans for a peacekeeping operation in Darfur without preconditions. During the Secretary-General's visit to the Sudan in September, President Bashir gave him personal assurances that his Government would facilitate the deployment of UNAMID. Over the past few weeks, the Government's reluctance to facilitate the practical preparations for UNAMID, as well as the public statements made by its senior officials, call that commitment into question. The Government of the Sudan has an important responsibility to positively influence the public's attitudes towards UNAMID and the United Nations. We also believe that troop contributors require and deserve unequivocal assurances that their efforts to contribute to the implementation of resolution 1769 (2007) are welcome.

Finally, in a new and disturbing development, two rebel movements, the Justice and Equality Movement and a grouping of factions of the Sudan Liberation Army, have made threats against the Chinese elements of the peacekeeping force. That is totally unacceptable, and it is being addressed with the utmost seriousness by the Secretariat and by the African Union Mission in the Sudan, which will be dedicating additional force protection to the area where the Chinese unit is deployed.

Our ability to end the suffering in Darfur is, indeed, ultimately linked to the political process. While

the African Union and the United Nations will continue to press the parties to make progress in their negotiations, our efforts to deploy a capable peacekeeping operation that is able to fulfil its mandate and to help the parties implement the outcome of their negotiations require the Security Council's continued engagement, as well as the active support of the Government of the Sudan.

The President: I thank Mr. Guéhenno for his briefing.

I now give the floor to the representative of the Sudan.

Mr. Mohamad (Sudan) (*spoke in Arabic*): It is a great pleasure and honour for the delegation of the Sudan to see you, Sir, presiding over this important Security Council meeting. We highly appreciate the many contributions and activities of the Indonesian presidency of the Council. We recall that your friendly country was among the first to understand the problems and concerns of the African continent when it hosted the historic Bandung Conference more than 50 years ago. That gathering sought to diagnose the problems of the newly independent continent and to support its march towards national unity, settlement of disputes and reconstruction through cooperation and solidarity.

Therefore, your friendly country is particularly qualified to preside over this meeting about peace in Darfur and to guide it towards a result that will help support the peace and stability we all desire.

Allow me also to send my greetings through you to Mr. Jan Eliasson, the Special Envoy of the Secretary-General for the political process in Darfur. I also salute his counterpart, Mr. Salim Ahmed Salim, Special Envoy of the African Union. We always appreciate their continuous efforts to guarantee the success of the political process in reaching a sustainable peace for all in Darfur. We also appreciate the efforts of Mr. Jean-Marie Guéhenno in the question of peacekeeping.

It is probably an auspicious sign that this meeting coincides with the anniversary of the Addis Ababa meeting, which took place on 16 November 2006. That consultative, high-level meeting laid the foundation for a strong and effective partnership based on dialogue and transparency between the Government of the Sudan and the African Union and the United Nations regarding the question of Darfur. The understandings reached there were based on full respect for the sovereignty of the Sudan and its unity, territorial integrity and political independence. That meeting was successful, contrary to previous attempts that were characterized by unilateralism and a lack of realism.

The Addis Ababa meeting drew a clear and agreed road map for the various aspects of the question of Darfur. Primary among the points of agreement was to accord priority to a political settlement, protected and supported by a hybrid peacekeeping operation with an African character and also supported by humanitarian assistance and support for those in need. Additionally, the development and recovery track was reaffirmed at the second high-level meeting on Darfur, held in New York in the margins of the General Assembly session, September 2007. That track covered the same concepts that were also included in Security Council resolution 1769 (2007). Our country has reaffirmed its full commitment to that resolution.

All those elements — including the Addis Ababa meeting and the subsequent meetings of the African Union Peace and Security Council, as well as the relevant Security Council resolutions and presidential statements — underscore that the problem of Darfur can be resolved only through a political settlement. The Darfur Peace Agreement was the foundation for that settlement and no party can be allowed to abort that Agreement or reopen it for negotiations. Those elements have also stressed that the political settlement must be guided by the United Nations and the African Union, and that opposition to the Darfur Peace Agreement cannot be a gateway to continued military activities against the Agreement. They all also made it clear that the international community was ready to punish those who hinder the peace process.

Negotiations began on 27 October 2007 at Sirte, Libya, hosted generously by the sisterly Libyan Arab Jamahiriya. The peace negotiations started with valuable efforts and initiatives from the Special Envoys of the United Nations and the African Union, Mr. Jan Eliasson and Mr. Salim Ahmed Salim. We take this opportunity to express our appreciation and gratitude to Mr. Eliasson, who just briefed the Council about developments on the question of peace in Darfur.

We also want to point out that my Government takes the Sirte meetings very seriously. We sent a complete high-level delegation chaired by Mr. Nafie Ali Nafie, assistant to the President of the Sudanese

Republic. The Government's commitment towards the negotiations was not limited to sending the high-level delegation; it also announced a unilateral and immediate ceasefire, which we still uphold. While we hoped that the Tripoli meetings would achieve an agreement to cease hostilities as one of the requirements for confidence-building, we still hope that priority will be granted towards reaching an agreement to cease hostilities and to a ceasefire, and that this priority would be within the current contacts and activities carried out by the two envoys in order to resume the peace negotiations.

A peaceful settlement and negotiation remain our top priority and our firm choice. The peace process, however, must not become a vicious circle and the resumption of negotiations cannot be considered an open-ended option without a timetable. This would only serve the objectives of some renegade tribal elements that refuse to negotiate and some parties that seek to sabotage the entire peace process.

Therefore, we urge the two negotiators to present a clear plan that defines a deadline for resuming negotiations and finishing the current contacts in order to unite the various movements and their negotiating positions. The setting of this deadline for the resumption of the negotiations is an urgent and vital matter of interest to the international community, which we hope and urge, will fulfil its special commitments to punish those who sabotage the peace process in the light of the resolutions and statements issued by the Security Council in this respect. We sincerely hope that the relevant international Powers will show their commitment to achieve peace through negotiations by doing whatever is necessary to exert pressure to guarantee the participation of all rebel and renegade movements in the negotiations. Otherwise, this means leaving the matter in chaos, encouraging the insurgent movements and sending them mixed and wrong messages.

Therefore, we demand that international parties be obliged to support the peace process. We also particularly salute regional and neighbouring States for their unceasing cooperative efforts in the resolution of the Darfur problem. In this respect, we hope that the upcoming Sharm el-Sheikh meeting, planned for the first week of December 2007, will support efforts to resume negotiations without any further delay.

Our country looks with the same seriousness to the requirements of resolution 1769 (2007), which calls, inter alia, for the deployment of the Hybrid Operation. Our country has been making intense efforts to fulfil its obligations, making it possible to fully cooperate with the joint representatives of the African Union and the United Nations, to carry out the main aspects in the deployment of the Mission, such as establishing the principal operational capacities in El-Fashir, and to achieve progress towards putting in place sector operations in the three Darfur states, including the appointment of commanders, while efforts continue to complete the status-of-forces agreement.

We would like to explain to the Under-Secretary-General for Peacekeeping Operations that discussion of the troop deployment agreement should take place in a meeting among the three parties, not in the Security Council.

My country has also carried out its part of the commitments to provide land and necessary and relevant services and logistics. Based on an initiative by the Sudan, a tripartite meeting was held recently in Addis Ababa to complete work on the question of troop contributions, taking into consideration the earlier international elements and Sudan's concerns, which also need to be taken into consideration. The Sudan also participated in the mission that visited Ethiopia and Egypt last week in preparation for the deployment of troops from these two States.

The Government has established a high-level ministerial committee to facilitate and follow up on the deployment of the Hybrid Operation and to deal with various related matters. We hope that the Secretariat will intensify its efforts in the coming months to complete the deployment of the light and heavy support packages, especially since the performance of the Secretariat in this area has certainly been less satisfactory than anticipated — and not because of any problems stemming from the Government of the Sudan. We ask the Secretariat why, after a year, it has not carried out the deployment of the light and heavy support packages. We also hope that the current deliberations in the relevant General Assembly bodies, will lead to provision of the financing and resources necessary for the operation.

In respect of the humanitarian track, I would like to inform the Council that the communiqué to facilitate

humanitarian operations, which was signed in the Sudan on 28 March 2007 has achieved tremendous success. It has been possible to improve and support outreach capacities and to provide assistance to those in need through the fast-track method that was adopted.

In this context, a follow-up mechanism was also established, which includes the Government, the United Nations, non-governmental organizations and other relevant parties. We trust that the second visit to the Sudan of Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs, which will take place tomorrow, will achieve further success in promoting the implementation of that communiqué and facilitate the flow of humanitarian assistance. I would like to reaffirm in this forum that the humanitarian situation is undergoing great improvement, as reflected in health and nutrition indices and in the absence of epidemics in the three Darfur states.

Mr. Eliasson has indicated that the deterioration in the humanitarian situation affects the peace settlement. Rather, firm steps forward in the peace settlement will have a positive effect on the humanitarian dimension, not the other way around. The failure of the negotiation team to achieve positive results is what weakens public confidence and undermines the humanitarian situation.

The development and recovery track that was affirmed at the high-level international meeting held in New York on 21 September 2007 is very important because it deals with the roots of conflicts and sought to combat environmental degradation and climate change. We hope that concrete steps will be taken to develop and rebuild Darfur, including increasing the resources and promoting the activities of United Nations agencies and programmes in the Sudan, as reaffirmed in the joint statement issued in Khartoum at the end of the Secretary-General's visit to the Sudan in September 2007.

In conclusion, I would like to reaffirm the full commitment of the Government of the Sudan to a peaceful political settlement of the Darfur question and our unlimited support for the Special Envoys of the United Nations and the African Union. We also affirm our commitment to putting an end to hostilities and implementing a ceasefire. We hope to see a prompt resumption of the Sirte negotiations. We also hope that the international community will fulfil its obligations with respect to achieving this objective with total seriousness. We hope also to see the inclusion of the Abuja rejectionists in the peace process, while avoiding any mixed messages that could negatively affect the negotiations. I hope that intimidation will be avoided and that the administrative problems will not be exaggerated. I also hope that the failures of others will not be laid at the Sudan's doorstep.

The President: I shall now give the floor to members of the Council.

Mr. Khalilzad (United States of America): At the outset, I would like to thank United Nations Special Envoy Jan Eliasson and Mr. Guéhenno for their reports. I appreciate the efforts of Mr. Eliasson and African Union Special Envoy Salim Salim, along with all participating parties and supporting States of the Darfur peace talks in Libya.

The continuing and urgent situation in Darfur has kept this issue at the top of the Council's agenda for a long time. In order to make progress, the political, humanitarian and security tracks must move forward urgently. These tracks require sustained commitment from all the key players: the Government of Sudan, the rebel groups, the troop-contributing countries, the United Nations and the African Union. There are shortfalls that each must address, to which I will now turn.

Regarding what the Government of the Sudan must do, the Government of the Sudan is key to progress, particularly on the security track. It absolutely must demonstrate, through its statements and its actions, its intent to accept and facilitate an effective peacekeeping mission in Darfur. Based on what we heard today from Mr. Guéhenno, it appears that the Government of the Sudan has thus far failed to do so. First, Sudanese officials have, without any basis, delayed agreement on force composition. The proposed force is clearly primarily African in nature, as the Government of the Sudan requested. We in the Council should act in union to urge the Government of Sudan to demonstrate its seriousness by immediately approving the list of troop-contributing countries provided to it by the Secretariat almost two months ago. Furthermore, the Government of Sudan has failed to take the steps necessary to facilitate the peacekeeping force of the United Nations-African Union Hybrid Operation in Darfur (UNAMID) and conclude an acceptable status-of-forces agreement.

We have heard today, and in numerous other reports, of obstructing access to land and water, impeding the granting of flight clearances, changing of visa procedures and bureaucratic delays in processing arriving material. Taking together, these facts belie an affirmative commitment to the peacekeeping mission itself and are serving to frustrate and delay it.

I was particularly alarmed to hear from Mr. Guéhenno today of the counter-offer made by the Government of the Sudan on the status-of-forces draft demanding the right of the Sudanese Government to suspend or interrupt communications or to have prior notification of movement of forces. The Government of Sudan's record so far shows a lack of good faith in supporting the deployment of an effective force into Darfur. We in the Council must be unrelenting the demanding that Sudan commit itself to the peacekeeping mission and take all necessary measures to facilitate its immediate deployment.

With respect to what the rebels must do, on the political track, in order for the peace process to succeed, the rebels must engage in the political process, establish a unified position and agree on a negotiating team. The Security Council should not shy away from being tough on those groups that stay outside of the dialogue. We should also demand that the rebels not impede the security track. Like Mr. Guéhenno, I find it highly alarming to hear that threats have been levied against the Chinese engineers who have been deployed to Darfur as part of the United Nations-African Union Mission in Darfur (UNAMID). We appreciate China's early contribution to UNAMID and will not tolerate threats against any contributing country.

As to what the troop-contributing countries must do, on the security track, we are increasingly concerned by the lack of contributions for helicopters and heavy transport units. Mobility is critical for a force the size of UNAMID in an area as large as Darfur. We will work bilaterally and in coordination with other Security Council members to urge contributions of these assets. We repeat our call for nations that have air support capability to answer the call of the United Nations. We in the Council must continue to support the efforts of the Secretariat to identify potential contributors and to impress upon them the importance of meeting these demands.

Finally, we believe it critical for the United Nations to appoint a United Nations-African Union chief negotiator and a long-term director of the Joint Mediation Support Team to oversee the peace process on a day-to-day basis to assist the Special Envoy. We also encourage the Secretariat to move swiftly in contracting for additional accommodations for peacekeepers in order to assure that logistical challenges do not further delay the implementation of this important mission.

In conclusion, stepping back, we must also bear in mind that progress on Darfur depends on full implementation of the Comprehensive Peace Agreement (CPA). Only if we proceed on all fronts can we hope to move towards some comprehensive peace in the foreseeable future. The United States is committed to leading international efforts to spur forward the CPA, which is strongly linked to any successful end to the Darfur conflict.

Once again, I thank our colleagues for their presentations here today and urge that we not miss the opportunity to take a hard and close look at how we can remove obstacles to make progress on all three fronts: the political, humanitarian and security tracks.

Mr. Sangqu (South Africa): We thank you, Mr. President, for convening this important meeting. We would like to welcome Mr. Jan Eliasson to New York and thank him for the briefing here today. We also thank Mr. Jean-Marie Guéhenno for the presentation of the Secretary-General's report.

The situation in Darfur has preoccupied the attention of the international community for a while now and I appreciate the efforts by the Secretary-General of making it a priority. The international community also continues to work in concert by trying to find a durable and lasting solution. Nonetheless, the reality is that the situation in Darfur is having a devastating impact on the humanitarian situation on the ground.

We concur with the observations of the Secretary-General that the situation in Darfur is at a crossroads in that, whereas there is increasing violence in this region, there is also an opportunity for peace through political negotiation and through the deployment of a peacekeeping force that can help make a difference. As we have emphasized on several occasions, the solution in Darfur lies in a political settlement. It is for this reason that we welcome the commitment and the

efforts by United Nations Special Envoy Jan Eliasson and African Union Special Envoy Salim Salim to find a political and peaceful solution to the problem in Darfur.

South Africa believes that the Abuja Peace Agreement provides the framework for the peaceful resolution of the conflict in Darfur and we share the commitment for the speediest conclusion of the political negotiations and the need to ensure that all the armed groups in Darfur respect international opinion and participate in those peace talks.

It is, however, distressing that some of the movements in Darfur decided to stay away from the recent peace conference held in Sirte, Libya. We urge the international community to do everything it can to ensure that everybody joins that process because these talks are a critical element in the solution of the Darfur conflict. The Security Council should be able to take firm action against those who wilfully absent themselves from these negotiations and instead choose to engage in violent actions against the innocent people of Darfur.

Another major issue of concern is the presence of the militia and rebel groups in and around some camps for internally displaced persons (IDPs), which has resulted in violence inside these camps. All necessary steps should be taken to ensure the security of the civilian population and the IDPs as well as women and children in Darfur. We must create conditions for humanitarian assistance to reach the sections of the population in need.

We appreciate the progress that has been made so far with regard to the implementation of the United Nations-African Hybrid Operation in Darfur (UNAMID), especially the initial operating capability for the headquarters which is now established. We urge the United Nations and the African Union to further accelerate this process so as to ensure that the transfer of authority from the African Union Mission in the Sudan (AMIS) can proceed.

At the same time, we are concerned at the continued delays with regard to some of the key areas that are critical for the implementation of UNAMID, in particular, aviation, ground transportation, as well as the force composition of the Mission. Concerning these outstanding critical capabilities it is clear that we, in Africa, are not in a position to provide them and we appeal to those who can to provide the required capabilities.

We are also concerned about the slow pace of the approval of the budget for UNAMID. We agree with Mr. Guéhenno's observation on the need to rapidly deploy a robust peacekeeping operation. In this regard, my delegation calls on Member States to consider and approve the Secretary- General's proposed budget for UNAMID. We need to act expeditiously to meet the timelines set out by the Council.

Clearly the success of UNAMID depends on the cooperation of all the parties involved. In this regard we want to stress the need for an ongoing dialogue between the United Nations, the African Union and the Government of the Sudan and, in this regard, we commend the recent meeting of the parties in Addis Ababa, Ethiopia.

We note the preliminary results of an investigation initiated by the AMIS Force Commander immediately after the attacks on the AMIS military group site in Haskanita. South Africa, which deplores this act, looks forward to the final report of the African Union-United Nations operation. It is important that when the perpetrators have been identified they be brought to justice.

Lastly, we continue to hold out hope that the tensions which have arisen in the relationship between the north and south will soon be overcome so that both parties will continue to fully implement the Comprehensive Peace Agreement (CPA). We are convinced that full implementation of the CPA will contribute positively to the lasting resolution of the Darfur conflict.

Sir John Sawers (United Kingdom): May I add my own thanks to Special Envoy Jan Eliasson and Under-Secretary-General Jean-Marie Guéhenno for their reports today, and even more so for their continuing efforts to resolve the crisis in Darfur. I believe today's briefings have shown that the prospects for early peace are slim. Progress is inadequate on all four of the tracks of concern to us — the political track, the security track, the humanitarian track and the tackling of impunity. Let me take each of them in turn.

On the political process, we welcome and strongly support the continuing efforts of the United Nations and African Union (AU) Envoys. We hope the Council will give its continued support to them and we

call on others to rally behind their efforts. In Sirte, the Envoys made a start, but it is clear that the process is going to be long and protracted. We believe we should keep focused on three points that I hope all members of the Council would support.

First of all, all parties in Darfur must be encouraged to engage fully and constructively and, if necessary, we must push them in that direction. Secondly, the immediate priority should be the cessation of hostilities, effectively monitored by the hybrid force. This will be essential to create a period of calm for negotiations on political issues. I welcome the Government of the Sudan's commitment in this regard and we look to them to honour it. The rebels must follow suit. Thirdly, the final settlement reached must be inclusive and sustainable. The talks must involve the full range of Darfur's society, as Mr. Eliasson has said today. They should not be limited to leaders of armed groups. We must learn the lessons of the Darfur peace agreement negotiations. Patience and realism are needed to ensure the effective participation of civil leaders in Darfur.

We will continue to support Mr. Eliasson and Mr. Salim Salim and we urge the Secretary-General to appoint a chief mediator to lead the peace talks on a day-by-day basis in support of the two envoys.

On the peacekeeping force, as Under-Secretary-General Guéhenno has highlighted, there is some small, slow progress being made, but the deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) as a whole gets more and more behind schedule. There is a growing risk that the hybrid force will not be an effective military force capable of implementing its mandate when it takes over on 1 January. The consequences of that will be severe for the people of Darfur. The recent attack on the African Union Mission in Sudan in Haskanita was an illustration of the risks that UNAMID will have to be prepared to face, quite apart from its being able to meet the challenge of protecting the civilians of Darfur.

Under-Secretary-General Guéhenno has made clear the problems that the United Nations and the African Union face. First, United Nations Members have failed to provide the capabilities needed. We will continue to lobby potential contributors, and I hope that others will do likewise. The military alternatives, as set out by Mr. Guéhenno, are not attractive.

Secondly, despite its acceptance of resolution 1769 (2007), the Government of the Sudan has failed to demonstrate a commitment to the resolution's effective and timely implementation. Agreements have still not been reached on force composition or on a status of forces agreement. We look to the Government of the Sudan to finalize those quickly; the responses given so far do not give any encouragement that that is its intention. The Government of the Sudan must also provide land and flight permits. The Sudanese Government's seeming determination to politicize the United Nations-African Union force in Darfur increases the risks to the units that are allowed to deploy.

The hybrid force is a difficult enough challenge for the United Nations and the African Union; the Sudan Government's foot-dragging and obstruction risk making it impossible. I am afraid that the harangue we have just heard from the Ambassador of the Sudan does not give us any confidence that the Government of the Sudan is about to change its ways.

Thirdly, the reason we have devoted so much time and energy to the issue of Darfur is the huge suffering of the people of Darfur. Over 200,000 have been killed and over 2 million forced from their homes, many of whom have now lived in makeshift camps for several years. The humanitarian situation remains critical and it continues to get worse. A further 400,000 people have been displaced from their homes this year, according to United Nations figures. Seven humanitarian workers were killed last month — the highest number ever in a single month. The United Nations humanitarian communiqué with the Sudan is still being only partially implemented. I call on the Sudan to lift the restriction on access for humanitarian workers and to allow the international force to create the conditions in which the humanitarian situation can be effectively addressed.

Fourthly, peace in Darfur also depends on ending the culture of impunity. We look to the Government of the Sudan to respect its obligations under resolution 1593 (2005) and carry out the International Criminal Court's arrest warrants. It is, frankly, an insult to the Security Council that one of the indictees charged with crimes against humanity in Darfur has been appointed a minister in the Sudanese Government. I am concerned that, when the Chief Prosecutor of the International Criminal Court reports to this Council

next month, he will have little positive to say, and we will have to address that.

Urgent action on all four of these tracks is required to build a sustainable peace in Darfur. The Council should stand ready to take tough action against any party that works to undermine any aspect of the peace process. As we saw following the crisis in the implementation of the Comprehensive Peace Agreement, the risks to the security of the Sudan as a whole continue to grow. The United Kingdom calls on the National Congress Party and the Sudan People's Liberation Movement to resume a dialogue to resolve the key challenges to the Comprehensive Peace Agreement so that it can continue to be implemented and remain on schedule.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Chinese delegation wishes to thank Mr. Eliasson for his briefing on the latest developments in the political process in Darfur, Sudan. I should also like to thank Under-Secretary-General Guéhenno for his briefing on the progress in the deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID).

It has been China's consistent position that a political settlement of the question of Darfur should be sought through dialogue and consultation on the basis of respect for the sovereignty and territorial integrity of the Sudan. China firmly supports the dual-track strategy of pushing political negotiations and peacekeeping deployment forward in a balanced manner, and looks forward to the central and lead role to be played by the tripartite mechanism comprised of the Government of the Sudan, the African Union and the United Nations. The facts have proven that such a strategy and mechanism represent the right approach to the settlement of the question of Darfur and have already achieved significant results. The international community should remain confident, pursue cooperation, consolidate the positive momentum achieved to date, and push for continued progress towards an appropriate and comprehensive settlement of the question of Darfur.

As a hot-spot issue facing the international community, the matter of Darfur has complex internal and external causes. A solution will require an integrated approach that addresses symptoms and root causes alike. The situation in Darfur currently faces two major hurdles: the humanitarian situation is deteriorating and the political negotiations have been stymied. In China's view, the former is a symptom of the problem, while the latter is its cause. Without good faith political negotiations among the various parties in Darfur, the security situation cannot fundamentally improve. If various political forces in the Sudan are not motivated to work towards peace, UNAMID, howsoever robust it may be, cannot possibly achieve its objective.

China therefore believes that, by working vigorously to promote political negotiations, Mr. Eliasson has taken an approach inspired by a political vision that addresses the root causes of the problem. China welcomes the convening of the meeting in Sirte, Libya, and appreciates the active efforts of the good offices mission undertaken by the two Special Envoys of the United Nations and the African Union.

Regrettably, however, certain rebel groups are clinging obstinately to their positions and resisting the process of political negotiation, thus trammelling the political settlement of the question of Darfur. At present, the most urgent matter before the international community is to take effective measures to press the rebel groups concerned to take part in the political process. China earnestly urges the groups concerned to prioritize the stable development of their country and the welfare of the people of Darfur, respond positively to the international community's appeals, and make the right choice to participate in the political process as soon as possible so as to pave the way for negotiations towards a comprehensive peace agreement for Darfur at an early date.

Since the adoption of resolution 1769 (2007), the deployment of UNAMID has made significant progress thanks to the common efforts of all parties concerned. China welcomes that progress and highly appreciates the efforts made in that regard by the Secretariat, the African Union and the Government of the Sudan. On the other hand, as the Secretariat noted early in the deployment process, the operation is unprecedented in scale, involving cooperation and interaction between the Government of the Sudan, the United Nations and the African Union and the need to address a complex situation in which certain rebel groups refuse to provide political cooperation. As a result, the deployment is likely to run into a number of difficulties.

The only way out is to continue to strengthen consultation and cooperation among all parties and to steadily reinforce mutual political trust in the process of cooperation and interaction. Mutual political trust is the lubricant of problem-solving. With such trust, a solution can be found to any technical problem, however difficult; without mutual political trust, even the simplest technical problem can evolve into a major stumbling block. At present, care should be taken to avoid politicizing technical questions and letting emotions interfere in the treatment of such issues. We urge the parties concerned to agree as soon as possible on the relevant details of UNAMID's deployment through dialogue and consultation on an equal footing so as to ensure the comprehensive and smooth deployment of UNAMID, in accordance with the provisions of resolution 1769 (2007).

It needs to be pointed out that deploying UNAMID reflects the unanimous decision of the Security Council, which embodies the common understanding of the entire international community. China is seriously concerned over recent remarks made by some rebel groups threatening the safety and security of peacekeepers. We urge them to follow the general trend of the international situation, cooperate with the United Nations and not go further in the wrong direction.

The question of Darfur, like many other international hotspot issues, has its roots in development. While pushing the political process and the peacekeeping deployment forward, the international community should pay equal attention to social and economic development in Darfur. It should take a long-term view and formulate, at another date, a development strategy suitable to the region. Only by improving the livelihood of the people there will it be possible to gradually resolve the conflict and develop harmonious relationships among the various ethnic groups and tribes, as well as between man and nature.

China has been closely watching the developments in Darfur and has made unremitting efforts for the appropriate settlement of the question. The special representative of the Chinese Government has visited the Sudan many times and has gone to Darfur to observe the situation on the ground. China has participated in all major international meetings held thus far on Darfur and has taken an active part in the relevant international good office efforts. The first part of the multifunctional engineering unit contributed by China to UNAMID arrived recently in Nyala. In addition, China has provided to Darfur and the African Union Mission in Sudan humanitarian assistance and donations on many occasions and has given the people of Darfur much assistance in areas including agriculture, education and infrastructure.

We will continue to work with the international community to make our contribution to an early settlement of the question of Darfur and to the realization of peace, stability and development in that region.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We are grateful to the Special Representative of the Secretary-General, Jan Eliasson, for the thorough briefing on progress on the political track for a settlement in Darfur. We are also grateful to the Under-Secretary-General, Mr. Guéhenno, for the information on the enhanced efforts by the Secretariat to achieve a prompt deployment of an effective peacekeeping operation of the United Nations and the African Union in Darfur.

We view the work of Special Representatives Eliasson and Salim Salim as successful. Their efforts are yielding significant results. The important thing is that they have managed to launch a negotiating mechanism between Khartoum and the opposition in Darfur. We count on forward movement in the Sirte dialogue.

We welcome here the approach of the Government of the Sudan towards achieving peace agreements with the rebels, in particular and as a first step in the political process, Khartoum's announcement of a unilateral cessation of armed actions in Darfur. The situation in that region of the Sudan remains very complex, but overall, the wave of violence has abated somewhat.

We are seriously concerned with the position of a number of rebel groups, who are continuing to refuse to participate in the political process. We would hope that, in the period of consultations before the renewal of the talks, those groups would review their positions, so that the political process could acquire a genuinely comprehensive character. It is essential to continue to put pressure on rebel leaders, proving to them the advantages of peace over war.

Good intentions will remain merely intentions, unless the parties conclude a bilateral agreement on a

ceasefire and the process of rebel disarmament and demobilization commences. Without progress on the intra-Darfur dialogue, improvement in the humanitarian situation will not be possible, nor will successful completion of the peacekeeping tasks of the African Union and United Nations force in Darfur.

We are very concerned with the delay in the full deployment of the Hybrid Operation. The list of countries supplying forces and material to the African Union/United Nations Hybrid operation in Darfur (UNAMID), developed by the United Nations and the African Union in consultation with the Government of the Sudan, has, unfortunately, thus far not been fully agreed to. We would expect that the remaining unresolved problems having to do with sending to Darfur what is an unprecedented and, in all respects, important operation, will in the very near future be settled, including the operationalizing of the national inter-agency mechanisms in Khartoum created for those purposes.

We would expect that the Sudanese leadership, like all interested parties, will do everything possible to cooperate with the United Nations and the African Union in the peacekeeping work in Darfur.

Of course any threats against the peacekeepers are unacceptable. The settlement in Darfur must include the implementation of a comprehensive peace agreement and improvement in the regional situation in terms of security and relations between the Sudan, Chad and the Central African Republic. That would be promoted by unconditional compliance by States in the region with the agreements reached in that area.

Mr. Biaboroh-Iboro (Congo) (*spoke in French*): I would like to thank you, Mr. President, for organizing this important meeting on Darfur and say to Mr. Eliasson, to whom we reiterate our support for the accomplishment of his difficult and delicate mission, that we have taken due note of recent developments on the ground, which we find far from reassuring.

As early as the consultations of 14 November, Mr. Guéhenno informed us on his contacts in Addis Ababa and the state of preparation of the hybrid force, which is very advanced. We note the information that he has just given us now. That overview allows us to say that the Council now has sufficient information on all aspects of this African Union/United Nations operation and on the behaviour of the different actors.

In the light of those updates and the consideration of the report of the Secretary-General (S/2007/653), my delegation would like to make the following comments.

We agree with the Secretary-General when he says in his report:

> "The situation in Darfur is at a crossroads. On the one side, there is rising violence, while on the other there is an opportunity for peace through political negotiations, and through the deployment of a peacekeeping force that can help make a difference." (*S/2007/653, para. 31*)

This is, therefore, a decisive moment that the parties to the conflict should be able to seize, which has not always been the case. Indeed, while recognizing all the progress that has been made, in particular since the adoption of resolution 1769 (2007), we cannot help but be deeply concerned by the many problems that persist, in particular the climate of insecurity and the violations of human rights and humanitarian law.

My delegation therefore condemns the climate of insecurity that continues to prevail in the Sudan, particularly throughout Darfur, with continuing attacks against civilians and the personnel of the United Nations Mission in Sudan (UNMIS), the African Union Mission in Sudan (AMIS) and humanitarian agencies. In that respect, we call for the publication of the results of the investigation on the attack on the AMIS camp in Haskanita and the prosecution of the perpetrators of that reprehensible crime.

We also condemn all efforts to undermine the peace process, particularly the refusal of certain rebel groups to participate in the negotiations at Sirte in the Libyan Arab Jamahiriya and delays by parties seeking to compromise the deployment of the African Union/United Nations Hybrid operation in Darfur (UNAMID). In that regard, the Council should be firm and impartial in order to be better heard.

At the Council summit of 25 September 2007, Congo already emphasized the need to grasp all opportunities presented by the adoption of resolution 1769 (2007). My delegation would like to take this opportunity to reiterate that call, asking States that might have any influence whatsoever on the parties to motivate them to choose the path to peace. It would also be highly desirable that all efforts be made under

the coordination of the United Nations and the African Union in order for all of the parties to the conflict to hear the same voice.

Now more than ever, as the Minister for Foreign Affairs of Congo said during the general debate of the General Assembly at its sixty-second session, it is time to do everything possible to accelerate the pace of implementation of the three priority areas underscored by the high-level meeting on Darfur held on 21 September 2007.

The first is political dialogue. The Sirte initiative, which indicates the resumption of dialogue between the parties, should be supported. That inclusive dialogue will be productive only if the other side of the Sudanese conflict also evolves in a positive direction. In that connection, particular emphasis must be put on implementing the Comprehensive Peace Agreement, calling for the settlement of issues through dialogue and for resumption of full participation by the Sudan People's Liberation Army in a national unity government. Any recourse to sanctions, if that were to prove necessary, must take into consideration the rule of total impartiality with respect to the parties.

Next is deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Deployment of UNAMID is, without doubt, the only guarantee for restoring peace in Darfur. There are no other alternatives. Thus, it is vital to deploy a robust and credible force, one that can effectively ensure the protection of civilians and guarantee implementation of commitments made.

We therefore express our concerns regarding the difficulties in securing the Mission's budget. Congo is prepared to make its modest contribution by supplying two infantry companies to the African Union and United Nations for use by UNAMID. We wish to echo the Secretary-General's appeal for medium-sized transport companies and helicopter units needed, without which the Mission's intervention capacity would be gravely compromised.

We also wish to ask the Government of the Sudan to continue to cooperate with the United Nations and the African Union by facilitating deployment of the hybrid force as soon as possible. We welcome measures already taken with the unilateral ceasefire on the eve of the Sirte talks. That cooperation, which we have sincerely hoped for, should help to facilitate all procedures, including acceptance of troop composition, acquisition of Base areas and granting overflight rights to United Nations aircraft.

Finally, there is the matter of humanitarian assistance. Here, suffice it to quote the Secretary-General, who, in his report, notes in particular,

> "the suffering of the people of Darfur, who continue to be threatened by violence and insecurity and to languish in camps 17 months after the signing of the Darfur Peace Agreement". (*S/2007/653, para. 34*)

It was enough for us to see the images of those helpless children, women and men in Darfur to know where our duty lay. Therefore, Congo will support all initiatives that will help promote dialogue and peace in Darfur, but also any other impartial coercive measures, if they proved necessary.

Mr. Arias (Panama) (*spoke in Spanish*): Allow me to begin by thanking you personally, Sir, and the Indonesian delegation for the initiative of convening this meeting and providing an opportunity to all Members of the Organization to reflect on the situation in Darfur. Likewise, I wish to express our gratitude for the briefings by Ambassador Jan Eliasson and Under-Secretary-General Jean-Marie Guéhenno on the progress made in the political process and on the deployment of the Hybrid Operation.

We cannot speak of the crisis in Darfur without emphasizing, as did Mr. Eliasson, that peace can only be achieved through a political process of consultation. Therefore, we fully support the diplomatic endeavours and mediation undertaken by Ambassadors Eliasson and Salim.

Regarding the Sirte meeting, we share the view that it was successful as a first step in the reconciliation process. We believe it is essential to keep up the pace of negotiations, and we support the consultations undertaken by the Joint Mediation Support Team in different areas of the region, with a view to drawing in those rebel groups that did not participate at Sirte.

As for the Hybrid Operation, we recognize the technical efforts of the African Union and the United Nations, and we thank those countries that have offered troops in solidarity to carry out the difficult task. Like previous speakers, we are concerned by the delays in obtaining necessary troops. In that connection, we suggest that greater interaction might be desirable

between members of the Council and the parties in conflict, also the African Union and the troop-contributing countries. We also appeal to everybody not to lose sight of the fact that the main objective of the Hybrid Operation is pacification in Darfur.

Panama was among the delegations that considered it important to ensure the participation of the representative of the Government for the Darfur region in the meeting. We are pleased to hear of his commitment to the political process. But we are concerned that we have heard no appropriate reference to the political crisis that is being endured by the people in Darfur. The time the Organization has devoted to the crisis in Darfur is not one that can be measured in terms of the military conflict between the Government and the rebel troops. It is to be measured in the tremendous suffering of the people of Darfur. In that same connection we are also concerned that the representative of the Sudan has not dealt clearly and specifically enough with the problems that were raised by Mr. Guéhenno regarding the make-up of the hybrid force and the negotiation of the status-of-forces agreement.

It is not the fate of members of the Security Council or our citizens at stake here — we are talking about the fate of the Sudan and the people of the Sudan and it is the Government in Darfur that has the main responsibility to ensure the safety and security of the people. If we do not see in the future a significant change, in the commitment of the Government of the Sudan, not only to the political process, but also to ensuring protection and to allowing the international community to ensure the protection of the people of Darfur as needed. If that does not happen, then the Council and the Organization will need to consider alternative measures.

Mr. Ripert (France) (*spoke in French*): I too would like to thank Mr. Guéhenno and Mr. Eliasson for their briefings. At the outset, I wish to reaffirm the full support of France for their efforts, as well as those of the Secretary-General, in order to find with the African Union a way out of the Darfur crisis.

The transfer of authority from the African Union Mission in the Sudan to the African Union-United Nations Hybrid Operation in Darfur (UNAMID) is today close at hand. The deadline was set by resolution 1769 (2007), adopted unanimously by the Security Council. So it is our responsibility to assist the Secretariat and the African Union in holding to that deadline. We should also make sure that the new operation will be sufficiently robust and deterrent, so that the tragedy of Haskanita — which we have condemned very firmly — cannot occur again.

The French delegation welcomes the countries that have already accepted to send troops as part of the list established by the United Nations and the African Union. We would call on those countries capable of providing needed specialized expertise to UNAMID to do so.

We also wish to pay tribute to the Secretariat and the African Union for their ongoing concern to consult the authorities in the Sudan. The Under-Secretary-General told us a few moments ago about the numerous stages. We can no longer renegotiate agreements. Now we must implement them transparently.

France calls for the full cooperation of the Government of the Sudan with the United Nations and the African Union to help deploy the UNAMID mission. That agreement reached last June was a step in the right direction and the Council applauded that. Now it is time for the Sudanese authorities to translate that agreement into action, because the United Nations and the African Union did everything possible to bear in the mind the concerns of the Government of the Sudan, while maintaining a satisfactory degree of effectiveness in the forces.

The terms of the debate are clear. They were clearly set out in detail by the Under-Secretary-General. Now the Government of the Sudan must take on its responsibilities and demonstrate that they truly accept, as they committed to in the Security Council, the deployment of the hybrid force.

This is no longer the time for procrastination. We are talking about the security and the well-being of hundreds of thousands of men, women and children whose only hope now lies in the United Nations and the African Union. We are also talking about the effectiveness and credibility of the Council in its capacity to maintain international peace and security.

With regard to the political process, we welcome the launching of the Sirte negotiations under the aegis of the co-mediators from the African Union and the United Nations, Mr. Jan Eliasson and Mr. Salim Ahmed Salim. It is the responsibility of all the parties to ensure

success by respecting a cessation of hostilities and by participating in the talks.

Concerning the particular case of Abdul Wahid Mohamed al-Nur, France will spare no effort in persuading him to rejoin the process. We are fulfilling our responsibilities and will continue to do so. We call on all the parties to do likewise.

My delegation recognizes the significant contribution made by the autonomous Government of South Sudan and by regional actors to the process led by the United Nations and the African Union. The initial results achieved at Sirte and Juba are encouraging. However, we hope that we can encourage all actors to continue to work together in constant contact with the co-mediators, who are directing the entire process. Finally, I should like to express France's support for the decision of the co-mediators to include Darfur's civil society in the political process.

At the humanitarian level, we cannot accept restrictions on free humanitarian access when more than 4 million people — two thirds of Darfur's population — need assistance. My delegation welcomes the upcoming visit to the Sudan by Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs, which will make it possible to assess the implementation of the 28 March Joint Communiqué. We received with great concern information from the Office for the Coordination of Humanitarian Affairs concerning the forced relocation of displaced persons to south Darfur. Here, we recall our commitment to the voluntary nature of return, in accordance with international humanitarian law. We also call on all parties to respect the civilian nature of camps for displaced persons.

In conclusion, I should like to recall the importance that France attaches to the fight against impunity, which cannot be neglected, given the gravity of the crimes that have been committed in Darfur. The Council will soon have occasion to revisit this issue with the Prosecutor of the International Criminal Court. Then we shall recall our total commitment to ensuring that justice follows its course.

Mr. Matulay (Slovakia): Allow me to join previous speakers in thanking Special Envoy Eliasson for his comprehensive briefing. My delegation is always delighted to have him among us in any of his United Nations incarnations. At the same time, we would like to thank Under-Secretary-General Guéhenno for his valuable briefing on the deployment of the hybrid force in Darfur.

Slovakia welcomes the opening of peace talks in Sirte under the leadership of the United Nations and the African Union (AU). We would like to commend in particular the joint efforts of the two Special Envoys, who have been relentlessly promoting a negotiated political settlement to the Darfur conflict. The international community must do whatever is possible to move that process forward. We fully support the AU — United Nations mediation, and we hope that the Sirte process will lead to a sustainable political settlement in Darfur.

We are pleased that both the AU and the United Nations have made Darfur their top priority. The joint endeavour of both organizations in that respect is very encouraging. At the same time, we appreciate the active diplomatic engagement of several regional and international partners. Even though the political and peacekeeping processes have proved to be extremely difficult and challenging, we continue to believe that there can be no military solution to the conflict.

The situation in Darfur is undoubtedly at a very important crossroads. With a very fragile political and security situation on the ground and a deteriorating humanitarian situation, the international community needs to act urgently in order to change the fortunes of the people of Darfur, who have suffered too much over the past four-and-a-half years. It has become obvious that, if we are to move beyond the status quo, full cooperation and genuine commitment on the part of the Sudan are also required.

If the peace process is to be successful, it remains essential to immediately stop the violence by all parties and to broaden the participation in the peace talks. We encourage all rebel movements to join and engage fully in the peace process. It is likewise important to reiterate the Security Council's call on all parties to urgently agree on and implement a cessation of hostilities. In that connection, we also call on all parties to implement the Council's decision in good faith, as well as their commitments with regard to the protection of civilians.

The deadline for the deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) pursuant to resolution 1769 (2007) is drawing near. The Council has authorized deployment of a robust and effective force that should be able to

make a real difference on the ground. In order to ensure that, it will be indispensable to find the missing transportation and aviation units and to deploy the key technical and engineering units on the ground. It is clear that UNAMID cannot be deployed if it does not receive support from all Member States.

At the same time, UNAMID will not be a successful operation without a sufficient level of cooperation from all parties, primarily from the Government of the Sudan. Unfortunately, throughout the two years of our non-permanent membership in the Security Council, we have been witnessing a perceived mistrust and repeated attempts to delay the deployment of a peacekeeping force, rather than actual cooperation, from the Sudan. In our view, under the current circumstances, when the situation on the ground requires an immediate United Nations response, it is unacceptable to pick and choose which UNAMID troop contributors will be allowed to participate in this crucial peacekeeping undertaking. We therefore call on the Government of the Sudan to agree without any further delay on the proposed composition of the force and thus to allow the United Nations and the AU to expedite and finalize the process of UNAMID's deployment.

Furthermore, the international community, in cooperation with the Government of the Sudan, should do more to address the alarming humanitarian situation in camps for internally displaced persons. We strongly urge all parties in Darfur to cease the violations and to recommit to full implementation of the Joint Communiqué on facilitation of humanitarian activities.

In conclusion, since there can be no peace without justice, I would like to underscore our full support for the investigation and prosecution of crimes committed in Darfur that fall under the jurisdiction of the International Criminal Court (ICC). We would like to recall that, under resolution 1593 (2005), all States, including the Sudan, shall cooperate fully with and provide any necessary assistance to the ICC and its Prosecutor. We look forward to the forthcoming briefing by the Prosecutor of the ICC in the Security Council next month.

The current efforts of the AU-United Nations mediation team, as well as the engagement of both organizations in the deployment of the Hybrid Operation, represent a window of opportunity for a long-awaited breakthrough and a departure from the vicious circle of violence in Darfur. Slovakia continues to fully support the pursuit of that important goal.

Mr. Spatafora (Italy): Allow me to join others in thanking Special Envoy Jan Eliasson and Under-Secretary-General Jean-Marie Guéhenno for their very lucid, focused and clear briefings and, more generally, for the truly outstanding job that they are doing. It is a great pleasure to see Mr. Eliasson here and to observe how, in addressing the situation in the Sudan and Darfur, he is infused with both passion and compassion, which is the right chemistry in life, politics and international affairs.

Because of the restraints on our time, I shall not repeat what other speakers before me have said, particularly the Ambassadors of France and the United Kingdom. But I should just like to say that Italy fully shares and strongly supports their assessments and their indications as to the way forward. I think that all members of the Security Council share the objective of strengthening the Secretary-General's hand and thus strengthening his representative's hand. I believe it is very important that he be aware — as, I am sure, the people of the Sudan are aware — that all of us support him in what he is saying and doing, in the messages that he is sending and in the requests for action that he is making. I believe that that is what is important.

I was really struck by what Under-Secretary-General Guéhenno said. Usually he is very cool and understated, but this time he was very, very clear, and the message was very worrying. If six months ago we had heard what Under-Secretary-General Guéhenno just said, we would have been worried; but to listen to what we have just heard only one month from the transfer of authority, when UNAMID must be deployed, is quite alarming and puts us into emergency mode. To hear about alternative options — fallbacks — one month out from the transfer is really very alarming. I hope, as has been stated by others, that this fallback position, is not needed.

The situation of the people of the Sudan — the suffering of those on the ground — is not the only thing that is at stake; as Ambassador Ripert said, it is also the credibility of the United Nations and the Security Council. That is what is at stake, and we are perceived by the media around the world to lack the capacity to address the situation. That is the issue.

I was very pleased to hear Ambassador Mohamad emphasize the full commitment of the Government of

the Sudan to the political process. That is of fundamental importance, in my opinion. He also mentioned unlimited support to the United Nations, the United Nations Special Envoy and, of course, the African Union Special Envoy. I feel that this is very positive.

It is striking that, looking at other issues, what Under-Secretary-General Guéhenno has told us and what Ambassador Mohamad has told us are really diametrically irreconcilable: one says the opposite of what the other says.

We have only one month. If the time limit is to be respected, all of the differences must be ironed out in the next 10 days. Otherwise, implementation will be impossible, even with a gradual approach in the field. Maybe it is not our job in the Security Council, as Ambassador Mohamad said, to address the technical details of all the arrangements. But it certainly is appropriate for the Security Council to have clarity about what is going on as we listen to a Permanent Representative who says the opposite of what the Under-Secretary-General has said. I think we need clarity here, and we need to see how to iron out the details.

As we are really pressed for time, as the incoming presidency of the Security Council — and if my colleagues in the Council agree — I feel that it is urgent for the participants to start next week to work on the basis of a tripartite mechanism. It would then be very appropriate during the first week or first half of next month to have a special meeting to see how the differences have been ironed out. As has been said, we cannot afford to lose more time. I am ready and willing to adapt the programme of work of the Council in order to have clarity on this point and on this issue, where our credibility is at stake.

Mr. Christian (Ghana): We wish to join others in thanking Mr. Jan Eliasson, Special Envoy of the Secretary-General, for his briefing and to take this opportunity to congratulate him and his African Union (AU) counterpart, Mr. Salim Ahmed Salim, on successfully convening the Darfur peace talks in Libya last month in the face of serious obstacles. My delegation is also grateful to Under-Secretary-General Guéhenno for his statement.

We were particularly pleased that, through the firmness of the Special Envoys and their determination to forge ahead, the meeting was not derailed by the vicious attacks launched at a delicate stage in the preparations by some armed elements against peacekeepers of the African Union Mission in Sudan (AMIS) at their base at Haskanita in Southern Darfur. My delegation is anxious to learn the facts surrounding that unfortunate incident — an incident that once again underlined the urgent need for the parties to adhere faithfully to their obligations under relevant Security Council resolutions, in particular resolutions 1591 (2005) and 1769 (2007).

Ghana looks forward to the next round of talks and trusts that the progress made in Sirte, especially the invaluable lessons learned, will serve as a road map both for effective preparations and for the conduct of the talks. In this connection, we commend the Special Envoys for reaching out to grass-roots parties and seeking to involve them directly in the talks.

That innovative approach has demonstrated that the people could indeed be empowered to claim ownership of the Darfur peace process and thereby push their leaders along the path to lasting peace. It is our hope that that lesson was not lost on those rebel leaders who refused to attend the Sirte meeting, contrary to the wishes and expectations of the international community. All sides in the conflict must understand that the ultimate goal of the Darfur peace process is to secure the well-being of the people.

Therefore, no useful purpose can be served by any more fragmentation of the rebel groups, whether induced by their own internal dynamics or by external factors. In the current circumstances, no one side holds all the cards, and it is imperative for the Sudanese people to rally around their shared interest in a united, peaceful and prosperous country.

In spite of the setbacks to the Sirte talks, Ghana is of the view that the meeting marked a significant step forward in the peace process. The renewed momentum for dialogue has been greatly strengthened by the much-welcomed declaration of cessation of hostilities by the Government of the Sudan. We commend the Sudanese authorities for this bold decision and call on the rebels to reciprocate the Government's gesture and actively participate in the dialogue in order to address the root causes of the conflict.

Admittedly, it will not be easy for the parties to find common ground on the core issues of security, power-sharing and wealth-sharing without the willingness to compromise. On the other hand, we

cannot ignore the fact that at present the deteriorating humanitarian situation is a matter of life and death for millions of displaced persons. Therefore, we must work relentlessly to ensure that there is an uninterrupted flow of relief material to the needy and that steps are taken to facilitate the safe return of all displaced persons.

In the meantime, everything must be done to preserve the cessation of hostilities announced by the Government of the Sudan, through the timely deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). My delegation welcomes the ongoing preparations towards that end. At the same time, we are concerned that the process appears to be falling behind schedule because some key issues have still not been resolved. It is in the interest of all concerned that UNAMID be deployed without further delay, and we urge them to be mindful of their obligations under resolution 1769 (2007).

In conclusion, my delegation believes that recent developments have brought into sharp relief the elements that are required, at this stage, to advance the peace process on all fronts. It will become evident in the coming months whether or not sufficient political will exists to fuel the progress towards lasting peace and stability in Darfur.

Mr. Verbeke (Belgium) (*spoke in French*): I would like to begin by thanking the Special Envoy of the Secretary-General, Mr. Jan Eliasson, for his briefing on the Darfur peace talks, and also the Under-Secretary-General, Mr. Jean-Marie Guéhenno, for his briefing on the United Nations-African Union Hybrid Operation in Darfur (UNAMID).

The picture is overwhelming. However, in the comments that follow, I will be focusing on only the political aspects. We share the views expressed — an equally worrying analysis — in the most recent report of the Secretary-General (S/2007/653). The security conditions in Darfur continue to deteriorate, while the Government of the Sudan and the rebel movements are finding it extremely difficult to get peace talks under way, despite the tireless efforts of both the United Nations and the African Union.

The cycle of violence on the ground compounds the humanitarian situation. To overcome this violence, a political solution to the crisis is necessary. The success of a political agreement is the underpinning of a lasting peace in Sudan, in parallel with a correct implementation of the peace treaty between the North and South Sudan. In seeking to achieve a stable Sudan, we are working for regional stability in East Africa.

Belgium notes that the numerous endeavours to carry forward the peace talks in Darfur. Through the Sirte process have not yet been reflected in concrete progress in the quest for a negotiated solution. We are of the view that there is an essential prior condition for the success of negotiations, namely, the strict and immediate cessation of hostilities by all parties.

An effective oversight mechanism must also go hand in hand with the laying down of arms. It is up to the parties to commit fully and openly to the quest for a lasting agreement. That is an obligation laid down by our Council; it is not just an option.

Belgium calls on the Government of the Sudan and all the rebel movements to become immediately involved in the peace negotiations and to draw into their discussion all components of civil society, including tribal leaders, representatives of displaced persons and women's movements. In this way, the talks will have the broadest possible base and the negotiated agreement will benefit from solid and lasting support.

Beyond the developments in the political process, Belgium deplores the major delays that are apparent in deployment of the heavy support package and UNAMID. Side by side with the peace negotiations, this hybrid force is the other dimension in the stabilization of Darfur.

It is up to the Sudanese authorities to facilitate unconditional implementation, in keeping with resolution 1769 (2007) and the successive appeals made in this respect by the Council. The fact that the Under-Secretary-General has already been obliged to raise the difficult issues that the Council will face in the case of continued non-cooperation by the Government of the Sudan is a matter of grave concern. The Council must, however, assume its responsibilities.

Lastly, Belgium would like to restate its commitment to international justice and to the fight against impunity. The Prosecutor of the International Criminal Court will be reporting to us in a few days on the evolution of his activities regarding the situation in Darfur. We know that his view regarding the cooperation of the Sudanese authorities is harsh and reflects a situation that continues to deteriorate to the point of virtual non-existence, while there have been

two arrest warrants issued — in particular against Mr. Ahmad Haroun, who has since been promoted to the post of Minister — and while resolution 1593 (2005) requires that the Sudan fully cooperate with the Court and the Prosecutor.

We do not and will not tolerate the continued indifference of the Government of the Sudan to the appeals of the international community in the face of grave violations of international humanitarian law.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): I would like at the outset to express my gratitude to the Secretary-General's Special Envoy, Mr. Jan Eliasson, for his valuable efforts during the peace discussions in Sirte, Libya. I would also like to thank the Secretary-General for his report to the Council (S/2007/653) and my gratitude to Under-Secretary-General Jean-Marie Guéhenno for his briefing on the deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID).

Despite our acknowledgment that the implementation of resolution 1769 (2007), regarding the deployment of the Hybrid Operation, has encountered some difficulties, the efforts to deal with those difficulties are themselves proof that work is under way to implement the resolution. The report of the Secretary-General acknowledges that there is real progress in carrying out the resolution, including the efforts of the Sudanese national unity Government to allocate land for camps for the Operation in place of other land that could not be allocated due to unforeseen circumstances or because it was already occupied or privately owned. Work is also under way to carry out the aviation agreement. All of this indicates the seriousness of the Government, which was welcomed by the Secretary-General in his report.

The Government has created an interagency ministerial committee in preparation for the deployment of the Hybrid Operation. Therefore, the United Nations must, in turn, do its part to complete the circle of collective responsibility for the implementation of the resolution. The composition of the contributed troops must be completed while maintaining its African character, as acknowledged in the same Security Council resolution. We should speed up approval of African offers submitted to the Secretariat and overcome the bureaucracy that delays their approval. We must take into consideration the reservations of the Government of the Sudan because it is the party that is primarily concerned. We must promote dialogue, understanding and constructive coordination with that Government. Also, the General Assembly Committee concerned continues to face difficulties in estimating the appropriations necessary for the Hybrid Operation. All of these factors combined affect the deployment of the Operation.

I wonder who should be held responsible for the delay in appropriating the necessary finances to deploy the mission. In order to carry out this operation, the Department of Peacekeeping Operations must quickly and promptly complete the light and heavy support packages for the mission. They should not have ignored this question once resolution 1769 (2007) was adopted.

We must put an end to the questioning and the unconstructive criticism of others. We must continue confidence-building efforts with the host country for the Hybrid Operation. Some people believe in the principle of complementarity between the principal tracks identified by the Secretary-General to deal with the Darfur question, namely, the political, peacekeeping and humanitarian tracks. We must also take care not to negatively affect the achievements already realized. We must maintain confidence-building efforts and we must not mix the tracks in a way that negatively affects the integrated effort. We must not continue to blame one party alone and overlook the negative role played by the insurgents and the threats they pose to the safety and security of peacekeeping personnel and to humanitarian aid shipments.

The Haskanita terrorist incident against the African Union Mission in the Sudan (AMIS) must lead us to seriously consider investigating this heinous crime and punishing the criminals. I would like to ask the Secretariat about the most recent developments regarding that terrorist act.

The boycott of the Sirte discussions in Libya by the Sudan Liberation Movement and the leader of the Justice and Equality Movement placed an obstacle in the path of peace and the Darfur peace process. Unfortunately, those renegades are not subject to sufficient pressure by the Security Council, especially by certain members of the Council, despite the fact that the boycott has greatly and noticeably hindered the discussions, which are part of the road map.

These people not only failed to attend the peace talks, but also had a negative influence on those who participated in the Sirte discussions and ruined the positive atmosphere of the meetings. The Council must take necessary action against those who hindered the progress of the peace process, including by considering targeted sanctions against them. We would like to know Mr. Eliasson's opinion on imposing sanctions against those individuals.

Finally, we firmly believe that uniting our efforts to find a comprehensive peace agreement for Darfur will help us to avoid many significant complications, including in the ongoing debate about the composition and deployment of the Hybrid Operation. Therefore, we must exert all possible efforts to carry forward the peace process, to give our full support to the United Nations and the African Union Envoys and to continue promoting confidence-building measures with the national unity Government while taking all necessary measures against those who hinder the Darfur peace process.

Ms. Tincopa (Peru) (*spoke in Spanish*): Let me begin by welcoming the participation of the Permanent Representative of the Sudan in this meeting. Likewise, we would like to thank Mr. Jan Eliasson, the Special Envoy of the Secretary-General, for his briefing and to reaffirm our support for his work in the political dialogue on Darfur. We would also like to thank Under-Secretary-General Jean-Marie Guéhenno for his briefing.

Peru welcomes the initiatives that are being taken to realize the political dialogue process in Darfur. We note the participation of the African Union (AU) and the regional partners working with the United Nations in seeking dialogue among the parties. In the light of the most recent developments, it is clear that we must persevere to bring an end to the crisis and achieve peace and security in the region. The process of peace talks, which began on 27 October in Sirte demonstrates this.

Here, we feel it necessary to repeat to the parties that it is only through political dialogue and inclusive consultations that a sustainable, viable and comprehensive solution to the Darfur crisis can be reached. We also believe it is important to persevere with endeavours to ensure that the rebel groups that have not yet joined the process will do so before the beginning of the next stage, assuming their responsibility to the peace and stability of the region.

We believe that the topics dealt with by the parties during the two stages of the discussions — security, wealth- and power-sharing and, humanitarian affairs, among others — are complex and are a point of controversy between the rebel groups and the Government. However, we feel it is necessary that the Mediation and the parties work to achieve sustainable and practical solutions that will guarantee the safety and security of the population and the continuation of the process.

The dismantling of the militias is a matter that should be part of the agenda for these talks. We believe in the need to have a disarmament process of the Janjaweed militia that goes beyond the Darfur Peace Agreement that was signed in May last year. International oversight is necessary to ensure that it is effectively and promptly implemented.

Moreover, we are concerned by the continued deterioration of the security and humanitarian situation. It continues to be essential to ensure the protection of the civilian population and that the parties cease hostilities. Additionally, all parties should be required to ensure total and unhindered humanitarian access. We also reaffirm the need for the Government of the Sudan and all parties to the conflict to cooperate fully with the International Criminal Court and its Prosecutor, in keeping with the provisions of resolution 1593 (2005).

On the subject of the African Union-United Nations Hybrid Operation in Darfur, Peru echoes the concerns about the delays in deployment that could lead to a further deterioration in security situations. Therefore, the established time frames must be met, and the Blue Helmets must assume their responsibilities, as mandated by this Council.

The Government of national unity should cooperate to ensure that all pending matters are resolved, including the matter of aviation and land transportation units, and to ensure that their freedom of movement and communication are not hampered. The objective is to ensure that deployment of the Hybrid Operation takes place with the necessary due urgency so that it can start to provide needed protection to the civilian population.

The President: I shall now make a statement in my capacity as the representative of Indonesia.

We join others in welcoming the Special Envoy for Darfur, Mr. Jan Eliasson, and thanking him for his briefing on the political process on Darfur. Our thanks go also to the Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno, for his update on the African Union-United Nations Hybrid Operation in Darfur (UNAMID).

It has been one year since the United Nations, the African Union (AU) and the Government of the Sudan agreed in Addis Ababa, on 16 November 2006, to work on three broad fronts to resolve the Darfur crisis: the political process, the deployment of a peacekeeping operation and the strengthening of the ceasefire. We are making some headway on two of them — the political and peacekeeping tracks — as today's briefings illustrate. However, the briefings also reveal the challenges we continue to face.

My delegation acknowledges that giving more time to the rebel movements may be necessary in order to allow them to arrive at a common platform, needed to facilitate the next negotiating stage with the Government of the Sudan. Such efforts are called for because of the need to facilitate the talks. We support the Mediation's approach of involving Darfur's civil society and other stakeholders, thus providing as wide a basis as possible for the peace process. We also encourage countries in the region to continue with their constructive roles in supporting the political process. We underline the importance of support by Member States for the political process and of encouraging all rebel movements to participate in the talks.

While more time is needed, my delegation is troubled by the postponement in establishing a cessation of hostilities, which is crucial not only for Darfur's civilian population but also for peace in Darfur, as it would strengthen confidence-building and foster a conducive environment for negotiations. We therefore appreciate the ceasefire announced by the Government of the Sudan.

In spite of delays on the political front, the peacekeeping track should move forward within its already determined time frame, which would also enable it to support the political process. We therefore encourage the Secretariat to continue to work with troop-contributing countries, including obtaining critical force enablers, such as ground transport and helicopter capabilities. The international community should not retreat from the commitment it made in Addis Ababa last year and in resolution 1769 (2007) on supporting the African Union-United Nations Hybrid Operation. We also encourage the Secretariat to continue to consult with the Sudanese authorities, with a view to agreeing, as soon as possible, on remaining technical issues.

We underline the point in the Secretary-General's report (S/2007/653) about the perpetrators of the attack against the African Union Mission in Sudan (AMIS) in Haskanita two months ago. This attack demonstrates not only the urgency of deploying a robust and credible force in Darfur, but also the need for the Council to take resolute action against such perpetrators. The Hybrid Operation needs and deserves the Council's full and unwavering backing. The troop- and police-contributing countries, on which the Council relies to establish and enforce its mandate, deserve nothing less than our full support.

On the humanitarian aspect of the Darfur problem, we welcome the fact that the March 2007 joint communiqué has significantly facilitated humanitarian operations in Darfur, as reported by the Office for the Coordination of Humanitarian Affairs. However, we are deeply concerned that reprehensible attacks against humanitarian workers have continued. We are concerned that vehicles belonging to international non-governmental organizations and United Nations agencies are frequent targets for carjacking by non-State armed groups. Attacks against those employed in the service of peace violate not only the laws of war, but also our moral sensibilities and should not be allowed to continue.

In closing, I should like to reaffirm Indonesia's strong support for the Secretary-General's Special Envoy, Mr. Jan Eliasson, and the African Union Special Envoy, Mr. Salim Salim, in continuing with their efforts in the Darfur political process.

I shall now resume my functions as President of the Security Council.

I now give the floor to Mr. Jan Eliasson, Special Envoy of the Secretary-General for Darfur, to respond to the comments made.

Mr. Eliasson: To me, the summary that you made, Sir, in your national capacity reflects very well the views that I have heard expressed around this table.

I want to express my deep appreciation, and I think I speak on behalf of my African Union counterpart and friend, Salim Ahmed Salim, in thanking you for the wide, deep and full support that you have given us in our work. It strengthens our hand considerably and we very much appreciate that expression of confidence.

On a personal basis, I also want to express thanks to several participants here, with whom I have worked in other capacities. I am glad to see them in this incarnation, as our colleague from Slovakia said.

I think it is important that we understand the importance of creating conditions conducive to peace and a political process. That is why there is a relationship, after all, between the humanitarian situation, the security situation and the political talks. They mutually reinforce each other or, if negative, hurt each other. So I think we have to see the issues in their totality.

I am also glad that our colleagues from South Africa and Slovakia brought up the situation in the camps. If I were to look back at this 11-month period in which I have been working on that issue, the most serious word of warning that I would want to extend to the Council concerns the situation in the camps. It is a situation of frustration and anger. Members can imagine life with fathers not going out into the fields, mothers being worried about what happens if they go out to pick up firewood, and youths growing up for nearly four years in some of the camps, radicalized, and with arms also coming into the camps. That is the new danger that we face, along with the tribal clashes, which are new phenomena that we have to analyse very carefully.

I do not know whether members are aware of this, but there are more people dying in tribal clashes than in clashes between Government units and the movements. Over 700 people have been killed in tribal clashes this year. Those are the new realities and new dangers in Darfur that we have to follow very closely and try to prevent from exploding.

The different points made here reinforce my and Salim's work in getting all parties to engage. It is very important for the credibility of the political talks that we have wide and full participation in those talks and that all assume that responsibility. I hope that those representatives of movements who hesitated to come now find themselves in positive and constructive discussions among themselves of how and when they will enter the process. I think and believe, from some of the contacts we have, that they will do so. We need to have a critical mass of participants from the movements to make the talks meaningful, and therefore everything the members of the Security Council can do, collectively and individually as representatives and Member States, is very important at this stage.

We have to deal with the basic problems of Darfur. The humanitarian operation is a $700-million operation employing 12,000 people. The peacekeeping operation, as Jean-Marie Guéhenno will probably expand upon, is a huge enterprise, also costing enormous amounts of money. We need to be able to deal with the basic issues so that we will not carry on with measures that do not deal with the root causes. Everything the Council can do to make all parties engage and prepare for the talks is very important.

I also hope that the Government of the Sudan will be clear with respect to its delegation and that it will be able to deal with the problems that I think it knows are there in terms of making sure that the delegation is one representing a Government of National Unity. That is important, again, for the strength of the negotiation process.

A cessation of hostilities is extremely important, and I regret again that the absence of some of the movements did not make it possible to reach a meaningful cessation of hostilities agreement. We welcome the unilateral declaration of the Government, and we hope that the movements will now follow suit.

We have, of course, a problem with monitoring, because we do not have the capacity yet to do the monitoring. We have not reached the level of deployment of troops to have a strong verification and monitoring mechanism, but I hope that will come with the deployment of troops. At this stage, that is therefore very much a political commitment that I hope the parties will all make.

I am also very grateful for the Security Council's support for the inclusion, to the extent possible, of the voices of the people of Darfur — the civil society component. It was striking, I should like to say, how enthusiastic the representatives of civil society were at the meeting in Sirte. That positive image did not come out so strongly in the world press, but it was quite comforting to me, who had been travelling a lot in Darfur, seeing the camps and the villages out in the country, to hear those voices expressing the hope,

longing and dreams for peace. I think we should keep in mind all the time what the people of Darfur really desire. I am glad that we, in a transparent manner, have been able to discuss that participation with the Government of the Sudan and also with the movements. We will want to have their voices heard, but of course it will be done in such a way that the negotiation structure is not changed considerably. But we certainly need to have their voices at the table in different forms of consultations. We worked together, both with the Darfur-Darfur dialogue and with our own civil affairs component, the United Nations, which is well represented in the field.

I take to heart the advice of some here about finding a chief mediator under the Special Envoys to do the day-to-day negotiation. We have, for the time being, two excellent chief mediators, Taye-Brook Zerihoun of the United Nations and Sam Ibok of the African Union. We will discuss the proposal made here. I understand that it goes in the direction of finding a joint chief mediator. It is an interesting proposal that we will carry forward.

The threats against individual nations directed from different movements is something I, too, take seriously. I will travel myself to Darfur after the regional meeting in Sharm el-Sheikh. I will go out to the field and hope to meet as many of the movements as possible. I will also be in contact with other stakeholders and I will certainly send that message of the needed respect for the peacekeepers and for the authority of the United Nations and the African Union.

That is an extremely interesting and fascinating, but difficult, task: working together in the spirit of Chapter VIII of the Charter and having the African Union and United Nations performing a common task, both in the area of peacekeeping and in the area of political talks. It is a difficult theatre, as we have seen, in which we have chosen to prove the importance of that cooperation, but we will certainly do our best to move this process forward. We must also remember that, in the end, everything comes back to the political will of the parties.

There were questions on timelines and on enforcing sanctions. Those are the most difficult questions, which I have saved for the end.

It is always desirable to have clear timelines and set deadlines, but it is also dangerous to set artificial deadlines when there is a political dynamic that we must respect. Mr. Salim and I will try to combine the sense of urgency that is definitely needed with making sure that we get the critical mass of representation at the talks. We will have the regional meeting, which is going to be important, as the meeting in Eritrea was. After Sharm el-Sheikh, we will go directly to the field and work with the parties. We may then possibly be in a position where a meeting of the Arusha style is necessary and desirable, and then we hope to move as quickly as possible to the substantive talks. But I do not think that I want to put that in terms of exact dates.

On the issue of enforcing the sanctions, it is not for the Special Envoys — and I know I speak on behalf of Mr. Salim on this point too — to either encourage or discourage, from our side, the sanctions. I note the presidential statement of 24 October by the Council (S/PRST/2007/41), in which it supports the peace process and speaks about the risks involved in undermining the peace process and peacekeeping operations, if I recall the text. I can say that when I am travelling and talking to both the Government of the Sudan and the movements, they are deeply aware of the fact that I will report what I learn during those trips to Secretary-General Ban Ki-moon, who follows these issues extremely closely and with deep engagement, but also that we will report those developments to the Security Council. That usually makes an impression, if I may put it diplomatically.

It is therefore up to member States to draw conclusions from the facts as we present them. I would hope that we now find ourselves in a process in which most of those who have hesitated to join the talks would come to the conclusion that they should join the talks, in the interest of peace for their people, and that we will have a quick and meaningful negotiation thereafter. If we have complete defiance of that process, it is up to member States to draw the conclusions that they find the most appropriate and that will help the process to succeed in the end.

The President: I thank Mr. Eliasson for the clarifications he has provided.

I now give the floor to Mr. Guéhenno, Under-Secretary-General for Peacekeeping Operations, to respond to comments and questions raised.

Mr. Guéhenno: There was only one real question that was raised, which was on the delays in the deployment of the heavy support package. The delays in the heavy support package are quite revealing of the

broader issues that we face in the overall deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), of which, in a way, the heavy support package is just one early phase. There is not one single explanation for those delays; there is a combination of explanations.

First, in some cases, capacities that were announced by troop contributors, upon verification by the Department of Peacekeeping Operations, were actually not available or were not the ones that had been requested.

A second aspect is the hesitation sometimes of troop contributors themselves, as they delay the load list, as we call it, that is, a document that we need to organize logistics. They sometimes seem to hesitate about when to deploy.

A third set of issues has been the kind of issues that have been mentioned with regard to UNAMID in terms of cooperation with the Government of the Sudan, which sometimes has been there and sometimes has not. I am thinking of delays in giving visas for reconnaissance missions that need to happen, delays in providing the land for the units to deploy.

It is all of those factors that end up delaying significantly the deployment of the heavy support package. Our concern is that the repetition of such problems and then their amplification, as described in the briefing today, could seriously delay or hamper the UNAMID mission itself.

The President: I thank Mr. Guéhenno for the clarifications he has provided.

There are no further speakers inscribed on my list. In accordance with the understanding reached in the Council's prior consultation, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 5.50 p.m.

United Nations S/PV.5785

Security Council

Sixty-second year

Provisional

5785th meeting

Wednesday, 28 November 2007, 10 a.m.

New York

President:	Mr. Natalegawa	(Indonesia)
Members:	Belgium	Mr. Verbeke
	China	Ms. Chen Peijie
	Congo	Mr. Okio
	France	Mr. Lacroix
	Ghana	Mr. Christian
	Italy	Mr. Spatafora
	Panama	Mr. Durán
	Peru	Mr. Chávez
	Qatar	Mr. Al-Qahtani
	Russian Federation	Mr. Rogachev
	Slovakia	Mr. Matulay
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Ms. Willson

Agenda

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter dated 12 November 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/678)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-61653 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Letter dated 12 November 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/678)

The President: On behalf of the Council I extend a warm welcome to His Excellency Mr. Ricardo Durán, Vice-Minister for Foreign Affairs of Panama.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2007/683, which contains the text of a draft resolution prepared in the course of the Council's prior consultations. I wish to draw the attention of members to document S/2007/678, containing a letter dated 12 November 2007 from the Secretary-General addressed to the President of the Security Council.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Belgium, China, Congo, France, Ghana, Indonesia, Italy, Panama, Peru, Qatar, Russian Federation, Slovakia, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1786 (2007).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.20 a.m.

United Nations S/PV.5786

Security Council

Sixty-second year

Provisional

5786th meeting

Wednesday, 28 November 2007, 10.20 a.m.

New York

President:	Mr. Natalegawa	(Indonesia)
Members:	Belgium	Mr. Verbeke
	China	Mr. Du Xiacong
	Congo	Mr. Okio
	France	Mr. Ripert
	Ghana	Mr. Christian
	Italy	Mr. Spatafora
	Panama	Mr. Durán
	Peru	Mr. Chávez
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Shcherbak
	Slovakia	Mr. Matulay
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Mr. DeLaurentis

Agenda

The situation in Burundi

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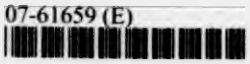
07-61659 (E)



The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Burundi

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Charles Nqakula, Minister of Safety and Security of South Africa and Facilitator of the Burundi Peace Process.

It is so decided.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Charles Nqakula, Minister of Safety and Security of South Africa and Facilitator of the Burundi Peace Process.

I invite Minister Nqakula to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by His Excellency Mr. Charles Nqakula, Minister of Safety and Security of South Africa and Facilitator of the Burundi Peace Process. I now give him the floor.

Mr. Nqakula: Good morning to all members of the Council. The first thing I would like to do is to introduce the team that is accompanying me, represented as it is by my Deputy, the Honourable Kingsley Mamabolo, who is the South African Special Envoy to the Great Lakes Region. I also have with me Mr. Adonia Ayebare, who is a representative of Uganda in this Chamber and also a member of our Regional Technical Committee and the facilitation team.

I want to thank you, Mr. President, and the other members of the Security Council for the rare opportunity that you have given us to address the Council on the matter before us: the search for durable peace in Burundi.

The first issue that I would like to address is that of the Comprehensive Ceasefire Agreement, which was signed between the Government of Burundi, headed by President Pierre Nkurunziza, and the Parti pour la libération du peuple hutu (PALIPEHUTU)-Forces nationales de liberation (FNL), the last rebel movement to remain outside the democratization processes within Burundi, led by Chairman Agathon Rwasa. The Agreement was signed on 7 September last year.

Within 72 hours of the signing of the Comprehensive Ceasefire Agreement, we had hoped to see the finalization of the disarmament, demobilization and reintegration process, but that process could not be finalized. Some problems had apparently emerged.

At this point, there are some PALIPEHUTU-FNL combatants who are ready to submit to the process of disarmament, demobilization and reintegration. We represent the regional initiative of the African Union and serve as the initiative's facilitators, but we need help in order to start and complete that process.

I have spoken about problems that arose within the context of the implementation of the Ceasefire Agreement. It is now my intention to indicate what those problems have been.

First, the greatest problem was that the Ceasefire Agreement did not dispel the suspicions and mistrust that had characterized the earlier negotiation process. The Government of Burundi did not believe that the PALIPEHUTU-FNL would honour the Agreement. But, for their part, the PALIPEHUTU-FNL were also deeply suspicious of the Government and felt that it would not deliver on its side of the Agreement.

However, notwithstanding those suspicions, we put in place our own preparations for the disarmament, demobilization and reintegration process. We also provided the PALIPEHUTU-FNL with funds so that they could go and deal with their combatants in order to fully explain the ramifications of the Comprehensive Ceasefire Agreement.

In the middle of September, we took some of the leaders of the FNL into Burundi, so that they could assess the lay of the land, so to speak, with respect to the politics of the country and could also assess the security situation within the country. Once they were satisfied that conditions would indeed be conducive to their return to the country, we took them back to Tanzania.

We established the Joint Verification and Monitoring Mechanism (JVMM) in October that year, although the PALIPEHUTU-FNL boycotted the launch of that structure. Although the FNL subsequently joined the Joint Verification and Monitoring Mechanism, they were erratic in their attendance of meetings. They later withdrew from the JVMM.

The situation in Burundi itself also militated against the finalization of the facilitation programme. The political landscape had been poisoned by a number of very bad judgement calls on the part of the Government and the leadership of the ruling Conseil national pour la défense de la démocratie (CNDD)-Forces pour la défense de la démocratie (FDD). President Nkurunziza was also engaged in a standoff with the political opposition. Further compounding the problem were disagreements within the ruling party itself. The upshot of that was the detention of Mr. Hussein Radjabu, former President of the ruling party.

Members of the Security Council will be aware that some changes have recently occurred. And, although we are not going to claim a monopoly on the decisions finally made, we did provide input with respect to those changes. We were thus involved in a number of engagements with the President of Burundi, attempting to argue for a new approach to the political situation inside the country, which was becoming heated. To that extent, we advised him that it would be better for him to engage with the political opposition so as to mediate the stalemate that had occurred. Therefore, we are happy that, in the end, he was indeed able to deal with that situation and was commended by the leaders of both the Front pour la démocratie au Burundi (FRODEBU) and the Union pour le progrès national (UPRONA).

We also discussed with him the possible release of Mr. Hussein Radjabu. We believe that he is having a real look at that particular situation. Our argument was that it is only when his own party is united that he will be in a position to give proper political direction to developments inside Burundi, both with respect to the political climate in the country and as a contribution towards the finalization of the agreements made between his Government and the PALIPEHUTU-FNL.

We also influenced him to agree to a meeting, which to us was very important, to try to remove whatever obstacles still existed with regard to the problems that arose as a consequence of the mistrust between the two sides involved in the conflict: to actually attend a meeting where he would meet with the Chairperson of the PALIPEHUTU-FNL on a one-to-one basis. That meeting took place on 17 June 2007 under the aegis and direction of President Kikwete of Tanzania. That meeting looked at certain matters, and certain decisions were arrived at as a consequence of the discussions that took place between the two. Those decisions included the following.

First, both President Nkurunziza and Mr. Rwasa recommitted themselves to the implementation of the Comprehensive Ceasefire Agreement. Secondly, both agreed that there was a need to reactivate immediately the Joint Verification and Monitoring Mechanism (JVMM), which is the only vehicle available for the implementation of the Ceasefire Agreement.

They also agreed to the expeditious implementation of the release of political prisoners and prisoners of war, using a system that they hammered out, which included the following elements. First, the FNL would immediately provide a list of its prisoners and a joint commission would be established, together with Burundi's Ministry of Justice, to screen the FNL list, after which the prisoners would be released.

They also agreed that there should be direct communications between the two leaders, so that they could unblock whatever problems might arise in the process of implementation of the decisions.

The last point of agreement was that the leadership of PALIPEHUTU-FNL needed to go back into Burundi, so that they could be part and parcel of the decisions that would be taken, as well as of the implementation of those decisions, thus giving proper guidance of the finalization of the programme of disarmament, demobilization and reintegration (DDR).

But of course, a split occurred in the PELIPEHUTU-FNL. That split saw a number of combatants abandoning their positions and attempting to make themselves available to the facilitation for inclusion into the programme of disarmament, demobilization and reintegration. They did that in August 2007. But the move they took was not accepted by those who remained in their positions at FNL bases in a number of areas. Those areas include Rukoro and the Kibira forest, as well as bases in the eastern part of the Democratic Republic of the Congo.

Because there was unhappiness that some people were abandoning their positions, some FNL elements chased them out. On 6 September, 21 of those people were killed in Buterere. On 1 November, nine were beheaded in Rugazi. On 10 November, three leaders of those groups were also killed in central Bujumbura. We are of course aware of the fact that others have been killed right inside PALIPEHUTU-FNL camps, having indicated that they wanted to abandon their positions, or having been suspected of wanting to do so.

As the facilitation, we therefore needed to consider what to do in the circumstances, and we therefore approached the leadership of the regional initiative for guidance. What they said to us was that we should not forget the stipulations of the Comprehensive Ceasefire Agreement. Among other things, the Agreement states: that the African Union shall establish a special task force for the protection of the leadership and combatants of the PALIPEHUTU-FNL, including their movement towards the assembly areas; that the JVMM shall, in conjunction with the United Nations, address the issue of command structures and modalities for inner and outer perimeter security of the assembly areas; and that the JVMM and joint liaison teams shall assist in the processes of registration and verification of the combatants in the assembly areas. They also said to us that the desired process for that was for us — after all that had been finalized — to go to the bases of the PALIPEHUTU-FNL and lead those combatants into the assembly areas, thereby providing them with protection so that they would not be attacked as they moved towards the assembly areas.

But the leadership said that nonetheless there were now people who wanted to become part of the process and that it was our responsibility to create those assembly areas and to put them into the assembly areas — thereby to start the process of disarmament, demobilization and reintegration. Of course, what we are talking about here is 2,700 of those combatants, who have made themselves available for this process. In our interactions with them, they have indicated that about 800 members of the PALIPEHUTU-FNL, who did not abandon their positions, remain outside those areas. The way we read the situation, therefore, is that the great majority of FNL combatants have indeed abandoned their positions and are asking to be put into the process that must eventually lead to their reintegration into the political, social and economic life of Burundi.

After we saw some of those people in the assembly area at Randa, we addressed the international community to explain what had happened. Of course, it has become clear to us that the international community was reluctant to be part of this process. We were not told why the international community was reluctant. But we picked up from discussions at various levels that one of the matters they were raising was that we cannot be certain that the people who are professing themselves to be members of the PELIPEHUTU-FNL are indeed members. However, I want to explain to the members of the Council what our own attitude has been with respect to that.

If you have a figure of 2,700 people, some of whom are armed, who would be roaming the countryside in Burundi, you would potentially be faced with a problem in which those people would seek sustenance through food supplies, and therefore go to the villages to get that food. We can speculate that they will not be getting that food in any civil manner. In some instances they would, therefore, be forcing and even harassing and intimidating the villagers to give them food. We are aware, as has been indicated by the figures I gave, of subsequent attacks on those people by the remaining PALIPEHUTU-FNL. Those attacks, therefore, would continue to occur, and a situation might arise in which those dissidents would be fighting with the remaining PALIPEHUTU-FNL.

Within that context, which also would at some point obviously involve the general population, a situation would arise where the army of Burundi would also have to intervene. In other words, if we had not intervened as we did, we would have allowed a situation which would catapult the country into an orgy of violence and undermine efforts to reach a durable peace in Burundi. For our part and in our humble logic, we thought that it was necessary for us to take in those people, protect them against attack and of course ensure that they themselves did not go into Burundi to commit atrocities. That was our simple logic with respect to the matter because we did not know of any alternative for that situation.

Of course, we as Africans are still grappling with one of the blemishes on our conscience. When we allowed the situation to develop in Rwanda; when we

did not, as Africans, make an early entry into that situation, it finally culminated in the atrocities that occurred in Rwanda. Therefore, we are not going to allow any possibility of an outbreak of violence in Burundi. And we thought, in our humble logic, that it was better for us to take in those people into the assembly areas in order to protect them and to prevent them from participating in any atrocities. We did this based on instructions received from the leadership of the regional initiative; but it was our responsibility to do this.

We have heard that the reason the international community did not want to be part of this was because of the absence of the leadership of the PALIPEHUTU-FNL in those processes. Of course, we have been interacting with the PALIPEHUTU-FNL all the time, including by organizing a meeting that should have taken place last Sunday, but had to be postponed until Friday. This will be a two-day interaction between some leaders from the Government and the leaders of the PALIPEHUTU-FNL. The meeting is to occur in Tanzania on Friday and Saturday and will be a continuation of our efforts to keep the leadership of the PALIPEHUTU-FNL in the loop, and to continue to ask them to participate in the process that in the end must result in the finalization of the programme of reintegration of members of the PALIPEHUTU-FNL.

There will also be a meeting between Mr. Rwasa and the Minister for Foreign Affairs of Tanzania. I will meet, as Facilitator, with Mr. Rwasa thereafter. We believe that if we are assisted by the international community, there are a number of things that we can do together to get the process finalized. At this time we are acting to finalize this programme on a deadline set by the African Union for 31 December. We are working very hard to meet that deadline.

Secondly, we as South Africans are the only ones at the moment providing food supplies to those PALIPEHUTU-FNL who have come out. We want the international community to help us to sort out the issue of the registration and reintegration of people who have already made themselves available.

When we addressed the international community after leaving Rwanda regarding those people that we had put into the assembly areas, we suggested that they go to Rwanda to observe the people who are there, interact with them and ask them questions in order to determine whether they are indeed PALIPEHUTU-FNL members or not. In a subsequent engagement with the media, they said that they had checked with the leadership of the PALIPEHUTU-FNL, and that the leadership, based both in Tanzania and in Kenya, had denied that the people who had come forward were their members. In my other life I was a journalist, and I asked them if they had asked the pertinent question — which is pertinent indeed: whether the PALIPEHUTU-FNL had actually seen those people and, therefore, would be able to say that they were not former PALIPEHUTU-FNL. That is the first point.

The second point is that the PALIPEHUTU-FNL leadership had issued a number of press statements attacking the facilitation process, insinuating that we had engineered a split in the FNL. That split had, of course, manifested itself in the departure of some of the combatants from their positions. In a way therefore, the PALIPEHUTU-FNL were admitting to the fact that a split existed and that it had resulted from some of those combatants leaving their positions.

Our third humble argument maintains that if the PALIPEHUTU-FNL are indeed convinced that it is true that those combatants are not their members, they would have invited the international community to meet their members wherever they are, and ask them if there have been any people who have left. They would have done that, but they are not doing so because they themselves know the answer and we know it too, because we are active on the ground. We have received information and we have checked that information. We are certain that the great majority, if not 100 per cent, of the people at the assembly areas are members of the PALIPEHUTU-FNL.

We have assembled a team of people that we have defined as the Political Directorate to oversee the political fulfilment of the stipulations of the ceasefire agreement and to advise the facilitation on other political steps that need to be taken for the finalization of this process. If the international community helps us, then indeed there is a lot that we will be able to achieve for ourselves.

The Political Directorate is convened by Ambassador Mamabolo, whom I introduced earlier; serving on it also are the two ambassadors from South Africa and Burundi, respectively, the Executive Representative of the United Nations Secretary-General, Mr. Mahmoud, and the representative of the African Union, Mr. Ba. When the leadership of the

PALIPEHUTU-FNL is back on the ground in Burundi, they will also be able to field their own political representatives to the Directorate. Of course, the Government will also be invited to send representatives to the Political Directorate. We believe that the Political Directorate will be able to resolve some of the political problems that have arisen with respect to matters relevant to the search for peace in Burundi.

Finally, I want to return to my plea, and that plea represents the wishes of the African Union, those of the Regional Initiative and of course those of the three countries that are leading that initiative, Uganda, Tanzania and South Africa, as the facilitation countries. What we are pleading for is assistance from the international community and for assistance from the United Nations and its various structures. We want them to assist us, first, to oversee the process of disarmament, demobilization and reintegration of the 2,700 people who have already made themselves available for that process; and secondly, to help us to continue to put pressure on the leadership of the PALIPEHUTU-FNL to take up their positions with respect to the implementation of the ceasefire agreement in all its dimensions, so that in the end, the facilitation programme is successfully completed.

One of the things we saw when we went to the camp in Randa to interact with the PALIPEHUTU-FNL people there was a lot of child soldiers. That is why we invited the international community to, among other things, go to that camp to see. Surely it must be our responsibility to take all of those children away from those conditions, so that, in keeping with the protocols of the United Nations, they can be raised outside of conflict. I still want to appeal to the members of the international community to take up the invitation that I extended to them to go into these camps we are now running, so that they can see for themselves who is there — in the first instance, to establish who all those people are, and, secondly, to look at the children who were forced to take up arms.

Once more, I would like to reiterate our appreciation for having been given this space to share the experiences that we have had in trying to assist the people of Burundi to overcome the difficulties they are facing so that they can all participate in the rebuilding of their country.

The President: I thank Mr. Nqakula for his statement.

I shall now give the floor to members of the Council.

Mr. Ripert (France) (*spoke in French*): First of all, I would like to thank Mr. Nqakula for his briefing. I would also like to welcome the Executive Representative of the Secretary-General for Burundi, Mr. Youssef Mahmoud, and the Permanent Representative of Burundi, Mr. Joseph Ntakirutimana.

Since the successful conclusion of the peace process in Burundi, the persistent rebellion of the Forces Nationales de Libération (FNL) has constituted the most serious risk factor for the security of the population and the stability of the country. It is for that reason that we welcomed with hope the launch of negotiations that started last year following the signing of the Comprehensive Ceasefire Agreement of Dar es Salaam on 7 September 2006. France would like to bear homage to the ongoing efforts made by South Africa, in particular the personal efforts undertaken by Minister Nqakula, to support the peace process. We hope that these efforts will continue and that the Council, as Mr. Nqakula just requested, express its support. In my personal capacity as the chair of the Security Council Working Group on Children and Armed Conflicts, I would like to assure Mr. Nqakula that what he has just said touches us all and that I shall do my utmost to ensure that our Working Group will take up the situation of children in Burundi in the nearest possible future. I believe that he has outlined in the most moving and accurate terms the reasons for which this situation should be addressed.

The continuing block in the negotiations is a matter of great concern for us all. It is crucial that the FNL rejoin the peace process as soon as possible, and, in particular, that they return to their place within the Joint Verification and Monitoring Mechanism without delay and without any preconditions. At the same time, we wish to encourage the authorities in Burundi, as well as international partners in the process, to continue their efforts in order to enter into dialogue with this movement, as we are of the view that it is only in this way that we will give peace the greatest possible opportunity.

Our Council will have the opportunity to re-examine the mandate of the United Nations Integrated Office in Burundi (BINUB). Without entering into the details of this future discussion at this point in time, my delegation would like to confirm its

full support for the renewal of the mandate, as we believe that BINUB has provided the most valuable support for the efforts of the authorities in Burundi in order to help build peace and stability within the country. We would like to encourage BINUB to maintain and increase its support for the peace process between the Government and the FNL by working together with the Facilitators.

Finally, beyond this process, our delegation would like to welcome the recent political developments that have taken place in Burundi through the establishment of a new National Unity Government on 14 November, as well as the framework agreement of 2 November on transitional justice. Thus, once again, the people of Burundi have shown that the spirit for dialogue and social cooperation that has always been welcomed by our Council continues to prevail and has made it possible for the country to make progress in peacebuilding.

Mr. Verbeke (Belgium) (*spoke in French*): Mr. President, let me at the outset thank Mr. Charles Nqakula for his briefing on the state of progress in the peace process in Burundi and specifically with respect to implementation of the Comprehensive Ceasefire Agreement with the Forces nationales de libération (FNL). My delegation believes that it is crucial for the building of peace in Burundi that this Agreement be effectively implemented. Belgium therefore would like to express its full appreciation for the efforts of the Regional Initiative and of the Facilitator that are aimed at reinvigorating the peace process, which, as we know, has been in an impasse for some time.

My delegation fears that if the process is not properly concluded, that situation could lead to yet another cycle of tensions and, indeed, violence, in Burundi. We fear the negative security and humanitarian consequences should there be an extended stalemate. For that, the FNL must immediately resume its place in the Joint Verification and Monitoring Mechanism. The FNL needs to be reinvolved in the peace process. We believe that a military solution is neither possible nor desirable. The solution will be political one; it will not be a military one.

We sincerely encourage the Facilitator to robustly continue his efforts that are aimed at relaunching implementation of the Agreement. Belgium expresses its full support for and confidence in him. We need to know how we are to proceed in order to safeguard the Agreement and its implementation mechanisms. Like the Secretary-General in his latest report on Burundi, Belgium is also of the opinion that this relaunching of the process needs to be done in a comprehensive political framework that would make it possible to meet certain legitimate concerns, both in the Government and among the FNL. Without challenging the process under way, such a comprehensive framework would make it possible to address issues of a political nature, namely, issues related to security guarantees that have been called for by the FNL and defining the political future of that movement, or the granting of certain high posts to FNL members.

To that end, we call upon the leadership of the FNL to renew direct contacts with the Government, in order to address these issues. A slight adaptation of the modalities for implementation of the Agreement would make it possible without any doubt to better deal with some of these issues, such as the strengthening the role of the Steering Committee to which Mr. Nqakula has referred. The suggestion of the Secretary-General that the parties work out a road map could also, we believe, contribute to reinvigorating the peace process.

Lastly, Belgium is prepared to respond to the invitation of the Facilitator to visit the camps in order to take account of the situation as described by the Minister.

Mr. Christian (Ghana): I wish to express the appreciation of my delegation to Mr. Charles Nqakula, Minister of Safety and Security of South Africa and Facilitator of the Burundi Peace Process, for his briefing on the latest developments on the Burundi peace process. We also acknowledge the presence of the Executive Representative of the Secretary-General for Burundi, Mr. Youssef Mahmoud.

We recall the purposeful role played by South Africa in the Burundi peace process. It has not only endeavoured to ensure that full implementation of the Comprehensive Ceasefire Agreement, but has also contributed troops to the African Union Special Task Force for the maintenance of peace and security in Burundi. South Africa's particular contribution is exemplified by its current effort, along with other countries in the region, to activate the peace process. Recently, it has undertaken a series of consultations, including with leaders of the Regional Peace Initiative and President Nkurunziza. The establishment of the

Political Directorate in Bujumbura emerged from those consultations. The Directorate is intended to address the political obstacles arising in the implementation of the Comprehensive Ceasefire Agreement. We wish to emphasize the necessity of continued support and strong engagement by regional and international partners towards the successful conclusion of the peace consultation process.

Ghana welcomes the appointment on 14 November 2007 of the Government of National Unity, whose composition is in compliance with constitutional provisions regarding party, ethnic and gender representation. This development is encouraging, and President Nkurunziza's perseverance and the flexibility shown by the leadership of the Union pour le progrès national (UPRONA) and the Front pour la démocratie au Burundi (FRODEBU) in ending the political crisis that had paralysed parliament and other national institutions should be commended. We expect the new Government to focus its efforts on addressing the many outstanding peace consolidation and reconstruction challenges, progress on which had been stalled during the political crisis of the past months. Its highest priority should be to successfully conclude the last phase of the peace process.

We are particularly concerned by the resumption of sporadic armed clashes between the Force de la défense nationale and PALIUPEHUTU forces. Without an end to hostilities and a comprehensive ceasefire, the peace and stability required for effective reconstruction and sustainable development, will continue to elude the people of Burundi. It is therefore imperative for all political actors in Burundi, including the Forces nationales de libération (FNL) party, to engage in an inclusive dialogue with the Government and contribute positively towards the implementation of the Ceasefire Agreement.

At the core of this are issues concerning the need for an agreement on the modalities for FNL's inclusion in national institutions and the conclusion of a forces technical agreement to determine the positions that former FNL combatants would occupy in the national security forces, as well as the release of FNL prisoners.

We are of the opinion that the Government and the FNL, with the assistance of regional partners and the international community, should be able to surmount these challenges. Despair is not an option. We commend the facilitation and the regional technical team for their efforts at reconvening the Joint Verification and Monitoring Mechanism and urge the FNL to overcome its internal differences and return to that mechanism.

Finally, we thank Mr. Nqakula for his tireless efforts aimed at finding a lasting solution to the conflict in Burundi. The continued presence and assistance of the United Nations, through the United Nations Integrated Office in Burundi remains crucial to the consolidation of peace in Burundi.

Mr. Shcherbak (Russian Federation) (*spoke in Russian*): At the outset, we would like to commend His Excellency Mr. Charles Nqakula and to thank him for his substantive briefing on developments in the Burundi peace process. The Russian Federation believes that the active mediation efforts of the Republic of South Africa in support of peace in Burundi are of fundamental importance for the successful implementation by the parties of the Comprehensive Ceasefire Agreement — the basis for stabilization of the situation in that country.

The situation in Burundi continues to be extremely complex, but steps taken by President Nkurunziza and the Government give rise to optimism. Specifically, progress in the extended political process, formation of a new Government and a resumption of the work of the parliament give us hope that the stalemate in the implementation of the Comprehensive Ceasefire Agreement will also be overcome.

Now, Burundian society faces a range of challenging problems. Finding successful solutions to them will be, to a great extent, the key to the future course of the country. The most important challenges are to strengthen peace and democratic governance, to carry out a national programme for the demobilization and reintegration of former combatants, to reform the security and justice sectors, to protect human rights, to enact measures to fight corruption and impunity and to combat the illicit circulation of small arms and light weapons. The Minister made specific reference to those problems today.

We note in this regard that responsibility for peacebuilding in Burundi lies first and foremost with the Burundian parties. The authorities and all political forces in Burundi must continue the reforms agreed upon in Arusha and Dar es Salaam and maintain a spirit of dialogue, consensus and universal participation that

will make it possible for them to successfully complete the transition in their country.

These key aspects are given specific emphasis in the draft press statement on the situation in Burundi prepared by our French colleagues. Full implementation by the parties of the Comprehensive Ceasefire Agreement is the key to the stable development of Burundi in the future. We call upon the PALIPEHUTU-FNL and its leader, Mr. Rwasa, to fulfil their obligations under the Comprehensive Ceasefire Agreement and to resume practical activities in the Joint Verification and Monitoring Mechanism, in the spirit of the arrangements reached earlier with the leadership of Burundi in Dar es Salaam.

We would like to take this opportunity to express our gratitude for the activities of the Regional Peace Initiative, specifically those of Uganda and Tanzania, and for those of the Special African Union Task Force and the United Nations Integrated Office in Burundi. We would also like once again to commend the mediation efforts of Mr. Nqakula, who is doing his utmost to stabilize the situation in that country.

In conclusion, we would like to state that we support the draft statement to the press on Burundi prepared by our French colleagues.

Mr. Sangqu (South Africa): We too join in welcoming the Facilitator for the Burundi Peace Process, His Excellency Mr. Charles Nqakula, and we thank him for his briefing to the Council.

South Africa notes with appreciation the important role the countries of the region, through the Regional Peace Initiative under the leadership of Uganda, and the African Union have always played in steering the peace process in Burundi towards a lasting and sustainable political settlement.

We commend them for the concerted effort they have made to help the people of Burundi realize their goals of peace, security and socio-economic development. South Africa has always been honoured to be called upon to contribute to this process, in order to help steer the peace process towards a sustainable political solution inclusive of all the Burundian people. South Africa has always believed that only political dialogue and reconciliation can guarantee a sustainable and lasting political solution in Burundi. We will continue to do whatever is necessary to support the efforts of the Facilitator and his team as they undertake their responsibilities.

The signing of the Comprehensive Ceasefire Agreement between the Government of Burundi and the PALIPEHUTU-FNL marked a significant milestone in the peace process and has contributed significantly to the overall improvement in the security and political situation in that country. Rightly, the Agreement brought hope to the people of Burundi, as there was a general expectation of peace dividends.

We were encouraged by the major breakthrough of bringing the Government of Burundi and the PALIPEHUTU-FNL to sign the Agreement. We therefore join the call for the return of the FNL to the Joint Verification and Monitoring Mechanism, without delay or preconditions, and for all parties to fully implement the Agreement. South Africa is encouraged by the efforts of the Government of Burundi to promote dialogue and national reconciliation, and we call on them to continue on that path.

We call on the Security Council and the international community to act in unison in support of the Regional Peace Initiative and its programmes, in particular by supporting the disarmament, demobilization and reintegration (DDR) of former combatants who have come forward in the DDR process, now estimated at 2,700 combatants. We also call on the international community to exert pressure on the FNL to rejoin the peace process. South Africa will continue to contribute to the African Union special task force currently deployed in Burundi and do whatever else is necessary to finalize the facilitation process and bring an end to the conflict.

We are aware of the impending deadline of 31 December 2007 for the completion of the facilitation process, after which we are confident that the Regional Initiative and the African Union will reconsider the situation and take appropriate decisions on the way forward.

Finally, we commend the work done by the Facilitator, who we know has equally challenging tasks and responsibilities back home. We encourage him and his team to continue on that path, as determined by the Regional Initiative and the African Union. It is important that the process continue to receive the full support of the Security Council, in line with Chapter VIII of the Charter of the United Nations.

We also join in the support expressed for the draft statement drafted by the delegation of France.

Mr. Okio (Congo) (*spoke in French*): Allow me at the outset to welcome Minister Nqakula and to thank him for his briefing, in which he outlined the latest developments of the situation in Burundi. Above all, I commend the efforts undertaken by his country and other countries of the subregion to stabilize the situation in Burundi, which finds itself in a highly unstable political environment.

We agree that the Comprehensive Ceasefire Agreement provides the basis for a lasting solution so long as the parties are able to rise above their suspicions and establish a dialogue based on mutual trust and respect for their commitments. We agree with all the statements made by previous speakers to the effect that every pressure must now be exerted on the Palipehutu-Forces nationales de liberation to persuade it to return to the Joint Verification and Monitoring Mechanism without delay or precondition.

In the context of the inter- and intra-partisan tension prevailing in Burundi, the international community must pay closer attention, above all, to supporting the Facilitator in his multifaceted work so as to ensure the coordination of efforts between the United Nations and the African Union and to mobilize the resources necessary to carrying out the disarmament, demobilization and reintegration (DDR) of former combatants, the impact of which was duly outlined by Minister Nqakula. I would also note that the potential deadline referred to Minister Nqakula and the representative of South Africa should be taken into account in the context of mobilizing resources and in all efforts to ensure the successful implementation of the DDR operation.

The difficulties besetting the subregion are such that the risk of a new outbreak of violence would also have a collateral effect on neighbouring countries and could even undo the efforts of the international community there, including in the Democratic Republic of the Congo. We therefore support the appeal launched here today by Minister Nqakula for facilitation assistance so as to ensure the successful implementation of his programme of work. Any failure of that process would have unfathomable consequences.

The Congo supports the press statement prepared by the delegation of France.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): I should like at the outset to welcome Charles Nqakula, Minister of Safety and Security of South Africa. We thank him for his briefing on the peace talks in Burundi, where South Africa is playing a very important role as Facilitator.

We also thank the Secretary-General for his report on the activities of the United Nations Integrated Office in Burundi (BINUB), which is monitoring the situation there.

The time has come to end the 14-year civil war in Burundi. Throughout that time, the United Nations has played an important role in keeping peace and stability in that country and in preventing the conflict from spreading to the broader Great Lakes region of Africa. We should therefore support the role played by BINUB and the peacekeeping mission. We also commend the role being played by the Tripartite Commission — composed of Tanzania, Uganda and South Africa — which is mediating between the Government and the Palipehutu-Forces nationales de libération. South Africa is acting as Facilitator to those efforts.

Internal stability can be established in Burundi only through reconciliation between the Government and all the opposition parties. It is encouraging to note the establishment in the middle of this month of the current Government and its all-inclusive character. That will help the Government to extend its authority throughout the country and to ensure the precedence of its sovereignty, in accordance with international law. National dialogue cannot be understood to infringe on that principle; otherwise, it will send the wrong message to saboteurs and opposition factions that violence is acceptable, which in turn will encourage them to prevaricate, procrastinate and flout the Comprehensive Ceasefire Agreement.

Here, we would like to ask the Minister about the methods used in facilitating dialogue between the parties in Burundi while bolstering the Government's authority above all. That is particularly important now that we have heard that the rebels may have received funds that could enable them to take up arms against the Government. The Government needs to comply with international law, and specifically to respect the rights of women and children and human rights in general. The security sector must also be reformed in the framework of private ownership in the country.

Burundi's needs must be addressed if it is to rebuild itself. To that end, Burundi will require financial assistance from the international community and from donors, particularly following the conclusion of their most recent meeting, so that its people will not succumb to despair and frustration. The Bretton Woods institutions need clearly to understand the difficult economic situation in that country. The Peacebuilding Commission had set aside $35 million to meet Burundi's needs in its programmed budget. We stress that those funds must be made available to meet the basic needs of the people of Burundi — again, in the context of respect for private ownership in the country.

Burundi has consented to the cooperation agreement reached in Nairobi in December 2006 among countries of the Great Lakes region, which will have an important role in the post-conflict period.

In conclusion, we endorse the Secretariat's recommendation to extend the mandate of BINUB so that the peace process may be brought to completion.

Mr. DeLaurentis (United States of America): I would like to thank Mr. Nqakula for travelling to New York to brief the Council on the latest developments in the peace process.

The United States calls on the PALIPEHUTU-FNL to return to the negotiating table, refrain from any further violence and implement its agreement with the Government of Burundi by 31 December. We are encouraged by President Nkurunziza's recent efforts to reach out to the political opposition in Burundi, which culminated in the allotment of several ministerial positions to opposition parties in November.

The United States congratulates Union pour le progrès national (UPRONA) member of parliament Yves Sahinguvu, the new First Vice-President. We trust that President Nkurunziza and he will work together to establish greater political cohesion and to focus on the problems facing the country. The United States commends the work of the African Union and United Nations Integrated Office in Burundi (BINUB) in facilitating the implementation of the ceasefire agreement between the Government of Burundi and the FNL and in providing support for the alleged FNL dissidents located in two camps north of Bujumbura.

The United States also welcomes the efforts of the Peacebuilding Commission in creating an integrated strategy for peacebuilding in Burundi. We strongly support the Peacebuilding Commission's work in implementing that strategy to produce tangible, sustainable results for the long term, and to prevent a reversion to conflict.

Mr. Du Xiacong (China) (*spoke in Chinese*): The Chinese delegation welcomes Mr. Nqakula's visit to Headquarters. We would also like to thank him for his briefing.

China notes that in recent years, under President Mbeki, the Government of South Africa has held high the banner of African recovery, calling for the unity and strengthening of the continent and for the resolution of its difficulties and problems, and facilitating the resolution of many hot-spot issues, including the situation in Burundi. That Government has played an important role and has made important contributions, winning praise from all sides.

Especially since the beginning of this year, South Africa, as a member of the Security Council, has called upon the international community to pay attention to hot-spot issues in Africa and to facilitate cooperation between the United Nations and the African Union, and has called for strengthened cooperation between the two organizations. The delegation of South Africa, under the leadership of Ambassadors Kumalo and Sangqu, has participated actively in the consideration of issues concerning the African continent. They have spoken out, contributed and done a great deal of work towards the resolution of those issues. The Chinese delegation is deeply impressed.

China firmly supports the peacebuilding process in Burundi. We appreciate that, under the leadership of the Government, reconstruction efforts are making progress. We have also noted that many political, economic and security challenges remain. The progress made thus far in the Burundi peace process has not been completely satisfactory. We are concerned by that fact, especially since the Comprehensive Ceasefire Agreement signed by the Government and the Forces nationales de libération (FNL) has not been fully implemented. That is also cause for concern. We believe that all sides should fully implement the Agreement. We call on all sides to resolve their differences and take steps towards the true implementation of the Comprehensive Ceasefire Agreement, bearing in mind the overall interests of the country.

China appreciates the work accomplished by the Facilitator. We support the untiring efforts of the regional partners. We call on the Government of Burundi and the FNL to fully cooperate in implementing the Comprehensive Ceasefire Agreement. China also calls upon the international community to provide assistance to the Facilitator and his team and to exert the necessary influence to promote progress in the implementation of the Agreement.

In conclusion, China thanks Mr. Nqakula for his effective work as Facilitator, and we wish him every success in his future work.

Mr. Spatafora (Italy): A very warm welcome goes to Minister Nqakula for his very substantive briefing and for the truly outstanding contribution that, as Facilitator, he is making to the process. I also welcome among us the Executive Representative of the Secretary-General for Burundi and the Permanent Representative of Burundi.

Allow me to begin by saying that all of us have long felt that Burundi must be a success story for the United Nations. We are committed to Burundi becoming a success story. Therefore, the Peacebuilding Commission chose Burundi, together with Sierra Leone, as the first country cases to address comprehensively. We cannot afford the luxury of losing the challenge of making Burundi a success story.

I think, Mr. Nqakula, that your work as Facilitator truly does honour to South Africa and to you personally. We are grateful for your role and, of course, the role of the Regional Peace Initiative, in teamwork with the African Union and with the United Nations Integrated Office in Burundi (BINUB). There is a lot at stake, and that is why we are so grateful.

I would like to touch upon one issue. You, Mr. Nqakula, have stressed several times the need for the support of the international community. First of all, you will get that support after this meeting, because you certainly need to have your hand strengthened in your dealings and facilitation efforts. There is no doubt about that.

Here I will not use my words, but those of the draft presidential press statement — and I am very grateful to the French delegation for preparing it. In that statement, we will make clear today, to public opinion and to the international community, that we support the work of the Facilitator. We will urge the PALIPEHUTU-FNL to return to the Joint Verification and Monitoring Mechanism without delay or preconditions, and we will call on both parties, as we have heard previous speakers do, to refrain from any action that might lead to a resumption of hostilities.

Here I want to ask you, Mr. Minister, whether, beyond this, you have something in mind that you expect, specifically, from this body? What else can we as the Security Council be doing, for the moment, to support you and the Regional Peace Initiative, to strengthen your hand and ease the way forward in the peace process, in order to prevent a relapse into hostilities? Do you have something specific in mind that we can do? Of course, we — the members sitting around this table, who are also members of the Peacebuilding Commission — will certainly encourage the Commission to strongly involve itself in doing everything possible to facilitate the peace process.

Again, my question is: do you have something more in mind that we can do? Because, as I said, we want Burundi to be a success story.

Mr. McKenzie Smith (United Kingdom): I can be brief, because I would associate myself and our delegation with many of the points made by other Council members this morning.

May I begin by joining others in thanking the Minister for his very timely report this morning. The United Kingdom welcomes the huge efforts that South Africa has made in bringing Burundi to the very point of achieving peace, and we would welcome the continued commitment of South Africa, together with the Governments of the United Republic of Tanzania and Uganda, to that peace process, in particular to bringing the Forces nationales de liberation (FNL) along the final steps towards a lasting and durable peace.

Like others, we agree that the recent reshuffle in the Government of Burundi offers an opportunity for a new political dynamic. The opposition parties are now part of the new consensus Government and, among other commitments, have stated their willingness to help bring the FNL back to the table. This is an opportunity that should not be missed. Both the Government of Burundi and the FNL need to be encouraged to iron out their outstanding political differences, so that the peace process can be launched. It is very clear — and the Minister's briefing this morning reinforced the point — that any kind of military solution would incur high

humanitarian and political costs and would be an unacceptable step backward.

Lastly, we welcome the draft press statement prepared by the delegation of France in consultation with the delegation of South Africa.

Mr. Chavez (Peru) (*spoke in Spanish*): In turn, I would like to express my gratitude for the statement made by Minister Nqakula, the Facilitator of the Burundi Peace Process, and to convey to him our acknowledgement both to his country, South Africa, and to the other countries of the region, for all the efforts that they have deployed in order to support the United Nations in the context of the peacebuilding process in Burundi.

Like previous speakers, I would also like to underscore that, as far as Peru is concerned, Burundi is an important example for us. We need to ensure that this becomes a successful example, and to that end we support the work being undertaken by the Peacebuilding Commission.

On this occasion, I would like to make the following two brief comments in order to express the fact that my delegation shares the ideas that were outlined earlier by Minister Nqakula with regard to the situation in Burundi. The first of these concerns the fact that the Peace Agreements and the Comprehensive Ceasefire Agreement, unfortunately, have not yet created the confidence needed to make it possible to establish dialogue and to build peace. In this regard, the deadlock in the implementation of the ceasefire agreed between the Government and the Forces nationales de liberation (FNL) is a cause for concern. We are of the view that greater efforts undertaken by the neighbouring countries, and also by the African Union, should be geared towards supporting both the Government and the FNL in order to ensure that this dialogue continues and to ensure that a climate of trust can be established and to ensure that we do not return to a cycle of violence. Dialogue, without conditions, is necessary to ensure full compliance with the Comprehensive Ceasefire Agreement.

The Government should refrain from taking actions that would undermine its positive interaction with the FNL. At the same time, the FNL should refrain from armed responses. Therefore, there is a need to come up with creative mechanisms that can be used in order to meet the requirements laid down in the Agreement and to ensure that the FNL returns to the Joint Verification Monitoring Mechanism, thus avoiding an outbreak of hostilities.

We are convinced that a conflict would only result in greater violations of human rights, would increase instability and would further impede the restoration of peace in Burundi. Without peace, it would not be possible to rebuild the country, nor would it be impossible to attract private investment, which is crucial to allow Burundi to move in the right direction, allowing it to rebuild its own economy.

The second comment made by Minister Nqakula that I wish to touch upon is the comment indicating the internal situation in the country. This situation is not contributing greatly to the peace process. In this context, we would also like to express our concern for ensuring proper governance and democracy in Burundi. There is a need to establish an inclusive, democratic system, respectful of all parties. To that end, we believe that the establishment of a system of robust parties, in which opposition to the Government is respected and in which freedom of the press is ensured within the context of the law, is crucial.

We hope that the new Government will be successful in its efforts to that end and will continue an inclusive and transparent dialogue.

Mr. Matulay (Slovakia): We would like to add our voice to those of other colleagues in thanking Minister Nqakula for his very timely and informative briefing. We would like to commend his efforts in facilitating the Burundi peace process, as well as the efforts of other important international actors, in particular the Regional Initiative and the United Nations Integrated Office in Burundi.

We are very concerned about the situation in Burundi, and we are following it closely. Two years after the holding of elections and one year after the signing of the Comprehensive Ceasefire Agreement, we not only face a protracted stalemate in the peace process, but we also have already witnessed instances of open fighting. This is a very serious, even dangerous, development. The international community should do all it can to prevent a relapse into hostilities.

We believe that a sustainable solution can be achieved only through political dialogue. In this context, we fully concur with the briefing and with the information that Minister Nqakula has shared with us,

and we commend his efforts aimed at reaching this particular goal.

There is an urgent need for the resumption and early implementation of the Comprehensive Ceasefire Agreement within an overall political framework that would address the concerns of the Government and of the Forces nationales de libération (FNL). We hope that all Burundian parties will be able to show political maturity and to engage in dialogue in good faith.

Therefore, we call on the Government and on the FNL to urgently resume the peace process and to create conditions for Burundi to recover from the conflict.

In concluding, we would like to encourage Minister Nqakula in his capacity as Facilitator to continue with his efforts, working closely with the parties in Burundi and with the regional parties, to achieve the final objective, which is peace, stability and sustainable development in Burundi.

Lastly, we support the draft press statement that has been prepared by the delegation of France, and we thank France for preparing it.

Mr. Suescum (Panama) (*spoke in Spanish*): First of all, we would like to welcome and to thank Minister Nqakula for his detailed briefing and to convey to him our delegation's gratitude for the carrying out of his duties as Facilitator of the Burundi Peace Process. In turn, we would also like to commend the efforts undertaken by the African Union, the Regional Peace Initiative on Burundi and the United Nations Integrated Office in Burundi, as well as the work undertaken in that country by the Peacebuilding Commission, in order to obtain peace and sustainable development there.

Like previous delegations who have taken the floor, we welcome the establishment of the new National Unity Government and encourage the new members of the cabinet to set aside their political differences and to work together for common objectives, such as national reconciliation, development and stability in Burundi.

We note that the deadlock in the peace negotiations, in particular the intransigence demonstrated by certain members of the PALIPEHUTU-FNL and their refusal to join the negotiations, represents one of the greatest obstacles to peacebuilding in the country and in that context we call upon the PALIPEHUTU-FNL to join without delay and without preconditions, the Joint Verification and Monitoring Mechanism in order to arrive at a political solution and thus ensure the rapid implementation of the Comprehensive Ceasefire Agreement.

For its part, the Government of Burundi must also double its efforts to facilitate the disarmament, demobilization and reintegration processes, as well as its efforts to reform the security sector.

Allow me to emphasize that for Panama, peace and justice are two sides of the same coin. In that context we call upon the Government of Burundi and the United Nations to continue negotiations in order to define relations between a truth and reconciliation commission and a special tribunal, which will ensure that perpetrators of international human rights violations and crimes against humanity will be brought to justice, making it clear that human rights are not negotiable.

Finally, Panama supports the draft press statement as has been presented to us.

The President: I shall now make a statement in my capacity as the representative of Indonesia.

We thank His Excellency Mr. Charles Nqakula, Minister of Safety and Security of South Africa and Facilitator of the Burundi Peace Process, for his briefing on the latest developments in the peace process in Burundi.

Our delegation would like to stress our support for the peace process in Burundi and the positive role played in that effort by the Facilitator personally, by the countries of the region through the Regional Initiative and, of course, by South Africa. In that regard, we are mindful of the importance of the establishment of a new Government in Burundi in November 2007 and view this more inclusive nature as a significant step in bringing opposition elements fully into the peace process. We hope that all political parties will be able to collaborate collectively in the interest of the country as a whole.

In this peace process we encourage the parties to implement all of the provisions agreed under the Dar es Salaam Comprehensive Ceasefire Agreement of September 2006. Further, we call on all Burundian political stakeholders to maintain the spirit of dialogue, consensus-building and inclusiveness, including in addressing the issue of power-sharing in an equitable manner which has enabled them to achieve a successful transition in their country.

We also appreciate the role of the Peacebuilding Commission in supporting Burundi to achieve long-term peace and stability. We encourage the Government of Burundi to intensify its efforts in all aspects of security sector reform, particularly with respect to disarmament, demobilization and reintegration, so that the presence of potentially armed elements and the incentives for conflict will be reduced. Related to security sector reform is the problem of small arms and other weapons in the country which also contribute to violence and instability. Efforts must be made to stem the flow of those weapons in order to create conditions conducive to peace. Once again, Indonesia would like to reiterate its support for the peace process in Burundi.

I now resume my functions as President of the Council.

I shall now give the floor to the Minister of Safety and Security of South Africa and Facilitator of the Burundi Peace Process, His Excellency Mr. Charles Nqakula, to respond to the questions raised.

Mr. Nqakula: I too would like to record my appreciation and the appreciation of the African Union and the Regional Initiative for the very constructive observations and remarks that have been made by members of the Council, and also to express appreciation for the suggestions, as well as for the promises of support to our facilitation efforts.

We appreciate the fact that there is an all-round understanding by all of us of the need to complete this process and thereby lay a foundation for conditions of peace to prevail in Burundi. I once more wish to indicate our desire to ensure that, in the first instance, the facilitation process between the PALIPEHUTU-FNL and the Government of Burundi continues and is successful in its efforts. Secondly, we shall do whatever is necessary to help the Government of Burundi to overcome the various political challenges that it faces, by respectfully submitting to it whatever suggestions we may have as facilitators. This we shall do on the authority granted us through the negotiations process when, as we were defining the political principles of engagement, it was first indicated that we — as the Regional Initiative and the African Union and, of course, through the facilitation — would continue to be guarantors of the process for the search for peace in Burundi until that had been achieved.

What that means to us is that our function will obviously not end with the finalization of the facilitation process. That accords with the Comprehensive Ceasefire Agreement. We would like to be part and parcel of any effort, particularly the work of the Peacebuilding Commission, that is designed to ensure that the country as a whole continues in a position where, in the end, programmes will be in place for the development of Burundi. In other words, the people of Burundi will be able to enjoy the fruits of the democracy that they helped to usher into their country.

There are several things, therefore, that we will do. When considerations are made with respect to the way forward, we urge that we continue to be invited to participate in any discussions to enable us to share our own experiences with regard to the work we have been able to do in Burundi.

We appreciate the fact that all have assured us that the Security Council will also do whatever is necessary to support our Initiative. Here, I want, once again, to call upon the nations of the world to help us finalize that programme, to help us deal with the disarmament, demobilization and reintegration process, as the President of the Council has said, and to help us deal with the political situation inside the country in order for us to create the necessary atmosphere for political engagement there on a level political playing fields. We will do our part, as I have already indicated, on the basis of the role that we were given. We will not only negotiate peace on the basis of the defined Ceasefire Agreement, but will also act on the basis of advice and guidance from the political principles that were negotiated and signed on 18 June 2006 by the two parties. At that time it was indicated the kind of role we would continue to play with respect to the consolidation of peace in Burundi.

We also wish to make a strong call for continued assistance in applying pressure to the leadership of the PALIPEHUTU-FNL, not to define themselves as out of this process, but to take their rightful position to lead the process towards its finalization. It is therefore our plea to all the nations of the world that they must speak with one voice on this issue. If we did that, there would be no recourse for the PALIPEHUTU-FNL leadership. That might, therefore, put pressure on the peace process, which can still easily be derailed.

Let me return once again to an issue that worries us greatly. As I indicated in my initial statement, when

we went to the camps where the people who have left their bases are, we found many children. It is our plea that the international community assist us in dealing with the issue of those children. For our part, we will do whatever is necessary to ensure that a process under the aegis of the Security Council is indeed begun, so that we can deal with that question. In addition, some people who have left their bases are ill, and we have not been able to attend to all their medical requirements. Sooner rather than later, the international community should come in, so that it can assist with that problem as well.

But we will leave this Chamber confident that the nations of the world are going to assist us in finalizing what is essentially only an initial step towards the rebuilding of Burundi. In future, we shall rely a great deal on the Peacebuilding Commission, as the nations of the world define a process that must take Burundi away from a past that has seen many of that country's nationals massacred, to a position where everyone in Burundi will derive the much needed benefits from the political settlement that is beginning to develop. We ourselves, who respect democracy and are particularly keen to help countries emerging from conflict, will also take up cudgels on behalf of those who want to build peace in Burundi.

The President: I thank Minister Nqakula for the clarifications he has provided.

I wish to take this opportunity, on behalf of the members of the Council, to thank Minister Nqakula for his briefing this morning.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.50 a.m.

United Nations S/PV.5787

Security Council

Distr.: General
29 November 2007

Original: English

Official communiqué of the 5787th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Thursday, 29 November 2007 at 10 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 29 November 2007, the Security Council, pursuant to resolution 1353 (2001), annex II, sections A and B, held its 578Xth meeting in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. William Lacy Swing, Special Representative of the Secretary-General for the Democratic Republic of the Congo.

"Members of the Council, Mr. Swing, Lieutenant General Gaye and representatives of participating troop-contributing countries had an exchange of views."

07-61894 (E) 291107

United Nations S/PV.5788

Security Council

Sixty-second year

Provisional

5788th meeting

Friday, 30 November 2007, 10 a.m.

New York

President:	Mr. Natalegawa	(Indonesia)
Members:	Belgium	Mr. Verbeke
	China	Mr. Li Junhua
	Congo	Mr. Okio
	France	Mr. Ripert
	Ghana	Mr. Christian
	Italy	Mr. Spatafora
	Panama	Mr. Arias
	Peru	Mr. Chávez
	Qatar	Mr. Al-Qahtani
	Russian Federation	Mr. Dolgov
	Slovakia	Mr. Matulay
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Wolff

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-62028 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs. I now give him the floor.

Mr. Pascoe: Three days ago, the most significant breakthrough in the peace process in several years was achieved. Israeli Prime Minister Olmert and Palestinian President Abbas reached a joint understanding, read out by President Bush at the opening of the Annapolis conference. That agreement had three important elements.

First, the leaders agreed to immediately launch good-faith bilateral negotiations in order to conclude a peace treaty, resolving all outstanding issues, including all core issues without exception, as specified in previous agreements. They agreed to make every effort to conclude an agreement before the end of 2008.

Secondly, they agreed that a joint steering committee is to meet continuously. The committee will oversee the work of negotiations teams, and its first meeting will be held on 12 December 2007. The two leaders also agreed that they will meet together on a biweekly basis.

Thirdly, they committed to immediately implement their respective obligations under the Road Map and agreed to form an American, Palestinian and Israeli mechanism, led by the United States, to follow up on implementation. The leaders further committed to continue the implementation of the ongoing obligations under the Road Map until they reach a peace treaty. The United States will monitor and judge the fulfilment of the commitment by both sides. Unless otherwise agreed by the parties, implementation of the future peace treaty will be subject to the implementation of the Road Map.

In addition to the joint understanding, the Israeli and Palestinian leaders individually addressed each other, the conference participants and the world. President Abbas said that "on this day, we stretch our hands to you as equal partners in peace", stating that it was not impossible to achieve peace if there was will and good faith. He also spoke about his determination to fight terrorism "under all circumstances and from any source", saying, "We do this for our own people because we must, not because it is a political requirement".

Prime Minister Olmert underlined his acknowledgement of Palestinian suffering, including that of the refugees. He stated that he knew that that pain and deprivation were one of the deepest foundations that had fomented the ethos of hatred. He added that he had no doubt that the reality created in the region in 1967 would change significantly, and he acknowledged that this would be an extremely difficult process and that many of his people knew that but were ready for it.

The joint understanding was given added significance by the context in which it was presented. President Bush opened the conference and pledged to devote his efforts during his time as President to doing all that he could to help the parties achieve their ambitious goal. He gave his personal commitment to support their work with the resources and the resolve of the American Government.

In addition to the host and the parties, other participants in the Annapolis conference included the Secretary-General and other Quartet members, the five permanent members of the Security Council, the Group of Eight industrialized nations, other significant donors and supporters of the process and, importantly, the representatives of the League of Arab States. Their participation signalled Arab support for the efforts of President Abbas and the determination of the Arab League to participate actively in the search for peace. Arab League members underlined their continued, united support for the Arab Peace Initiative and their

belief in the need to achieve comprehensive peace in the region.

On the evening before the opening of the conference, the Quartet principals met in Washington and expressed their strong support for the conference. They welcomed the commitment of the Israeli and Palestinian leaders to launch bilateral negotiations towards the establishment of a Palestinian State in the West Bank and Gaza and, ultimately, of a comprehensive peace in the Middle East. The statement noted that that achievement reflected

> "the results of months of work by the parties and by the Quartet, including the Quartet's engagement with members of the Arab League Follow-Up Committee to expand the circle of support for peace".

As part of the continuing process, the Quartet will meet next month, on the sidelines of the Paris Conference, and looks forward to meeting once again with members of the Arab League.

The Annapolis conference also included extensive discussion of international support for building the institutional capacity of the Palestinian Authority, setting the stage for the upcoming donor conference to be held in Paris. The Paris conference will provide an opportunity for the international community to demonstrate its determination to improve the situation on the ground. Economic recovery and the creation of a secure environment will be key to gaining popular confidence in the renewed process.

The Palestinian Authority has been working hard on preparations for Paris. Earlier this month, Prime Minister Fayyad circulated a summary of the Palestinian reform and development plan for 2008-2010. The plan, which will form the basis of the Palestinian Authority's presentation to the donor community, demonstrates fiscal responsibility and political commitment to reform. It also lays out what Israel and the international community should do in parallel to help the Palestinian Authority to meet its economic and institutional priorities over the next three years. We trust that the plan will prove to be a solid basis for securing new financial commitments from international partners, including those in the region. We urge Council members to give it their early consideration.

During his recent trip to the region, Quartet Representative Tony Blair joined Palestinian Prime Minister Fayyad and Israeli Defence Minister Barak to highlight several initiatives that will have a substantial economic impact on the ground. If carried through, this trilateral partnership for economic recovery and growth will serve to build the confidence of Israelis and Palestinians in a peaceful settlement.

In the lead-up to the Annapolis conference, a number of developments provided important building blocks. The Palestinian Authority took steps on phase I Road Map obligations through the deployment of 300 security forces in Nablus in a bid to crack down on militants and impose law and order. That has led to a significant improvement in the security environment in Nablus. The Israeli Government has facilitated this deployment by allowing the transfer of weapons, ammunition and equipment. However, night raids by the Israel Defense Forces (IDF) into Nablus continue, posing a challenge to the goal of ensuring Palestinian Authority security control.

The Israeli Government announced a further release of 441 Palestinian prisoners — a decision that has yet to be implemented. Settlement activity continues, and no outposts have yet been dismantled. We encourage both parties to make every effort to implement all commitments and build mutual trust.

I also wish to stress the active Arab diplomacy in the lead-up to the conference. A number of regional meetings were held ahead of the Annapolis conference, with Egypt taking the lead in hosting Arab leaders and Quartet Representative Blair. President Mubarak of Egypt also met Israeli Prime Minister Olmert on 20 November in Sharm el-Sheikh. In addition to a discussion on the Annapolis conference, there was a positive agreement to intensify cooperation to stop smuggling into the Gaza Strip. Also, on 18 November, King Abdullah of Jordan paid his first visit to Damascus since February 2004.

We have reason to be hopeful in the light of those developments, but we must not close our eyes to the difficulties on the ground. Violence continues to plague Palestinians and Israelis. During the reporting period, 42 Palestinians were killed and more than 133 injured, among them four children killed during Israeli military operations in Gaza and the West Bank. More than 346 Palestinians have been detained by the IDF. Two Israelis have been killed and six injured. IDF Corporal

Gilad Shalit is in his eighteenth month of captivity in Gaza. Rockets and mortars continue to be fired by Palestinian militants on crossing points between Israel and Gaza as well as at Israeli population centres. During the period, rocket attacks by militants from Gaza have increased to more than 116 rockets and 121 mortars. The Secretary-General continues to condemn all acts of terrorism and all acts that target civilians or endanger them owing to the disproportionate or indiscriminate character of such acts.

Factional fighting among Palestinians intensified — mostly in Gaza — resulting in 18 deaths, among them three children. In one particular incident, on 12 November, Hamas policemen fired on a rally of over 250,000 participants held to commemorate the death of President Arafat. The rally degenerated into rioting, and seven Fatah members were killed and some 100 were wounded. Approximately 400 Fatah supporters were arrested.

The humanitarian situation on the ground, particularly in Gaza, continues to be a source of acute concern — and one that the Secretary-General has raised strongly in public statements, in writing to his Quartet colleagues and with all interlocutors at Annapolis. Karni, the principal crossing for commercial goods into and out of Gaza, remains closed. A recent food security study conducted by the World Food Programme found that although critical United Nations humanitarian food supplies are being allowed in, only 41 per cent of basic commercial food needs have been met in the past six weeks. The market has continued to witness significant price rises and shortages of commodities such as wheat grain, vegetable oil, dairy products and baby milk. In one positive development, on Wednesday, the Israeli Government permitted the export of strawberries and flowers from Gaza through the Kerem Shalom crossing.

Rafah, the principal passenger crossing to Egypt for 1.5 million Gazans, also remains closed. Approximately 6,400 Gazans with foreign citizenship, permanent residency, work permits, student visas or university admissions have not been able to exit Gaza since June, including 670 students who are being prevented from pursuing higher education abroad. Access to specialized medical care for Gazan patients requiring treatment in Israel, the West Bank and Egypt continues to be affected, with 10 Gazans, including two women and an infant, dying since August after being prevented from leaving Gaza to receive emergency care. Spare parts are not allowed entry into Gaza, leaving medical and water sanitation equipment in disrepair.

The political divide among Palestinians continued. Hamas continues to establish structures in parallel to the Palestinian Authority and convened an illegal session of the Palestinian Legislative Council to cancel all decrees taken by President Abbas since June. In the West Bank, Palestinian Authority security forces have continued to arrest Hamas militants, and Hamas security forces have continued to arrest Fatah members in the Gaza Strip. Hamas has denounced the Annapolis conference, and held protest demonstrations in both Gaza and the West Bank.

Let me turn now to Lebanon. The term of President Lahoud came to an end on 23 November at midnight. The constitutional deadline to select a new President for Lebanon by 24 November passed without the election taking place. The parliamentary session scheduled then for 30 November has been postponed to 7 December. That marked the sixth postponement of a parliamentary session to elect the new President in the past two months. Extensive diplomatic efforts aimed at mediating between the parties in Lebanon and beyond are ongoing, with the purpose of bridging the political divide. The majority and the opposition have indicated that they will continue the negotiations.

The Secretary-General visited Lebanon on 15 and 16 November, with the aim of promoting the election of a new President within the constitutional time frame and provisions and with the broadest possible support. The Secretary-General met with the Speaker of the Parliament, the Prime Minister, majority leader Hariri, the Maronite Patriarch and a wide range of leaders from across the political spectrum. He urged Lebanese leaders, including presidential hopefuls, to place the national interest above their personal and sectarian interests at this crucial time in Lebanon's history.

During the reporting period, the Special Coordinator for Lebanon and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) visited the Palestinian refugee camp of Nahr el-Bared in order to examine the UNRWA-led emergency assistance and recovery effort. The recovery and reconstruction process of the camp is an

extremely complex undertaking that will require very close cooperation between the Lebanese Government and UNRWA. The current estimated cost of the reconstruction of Nahr el-Bared is $200 million. Of the $54 million that UNRWA requested for the flash appeal only $28 million has been received so far.

UNRWA is working with affected refugees, the parties on the ground, the Lebanese Government, the army, donors and local communities to ensure that immediate and longer-term needs can be met. In the face of the enormous devastation of the camp, UNRWA's efforts to address immediate needs and restore some semblance of normal life for refugees have led to the return of nearly 1,000 families in an area on the periphery of the camp known as the "new camp".

Israeli air violations of the Blue Line and Lebanese airspace continued throughout the reporting period. For a part of the month, the number of overflights increased significantly, and these were sometimes undertaken at low altitudes, breaking the sound barrier in populated areas, which caused considerable stress and frustration to the local population. We note the security concerns that Israel says compel it to continue those overflights, specifically allegations of violations of the arms embargo established pursuant to resolution 1701 (2006). However, overflights nevertheless also remain violations of resolution 1701 (2006) and also continue to undermine the credibility of both the United Nations Interim Force in Lebanon and the Lebanese Armed Forces.

In a letter to you, Mr. President, dated 28 November, the Secretary-General informed the Security Council of his intention to appoint Robert Serry of the Netherlands as the United Nations Special Coordinator for the Middle East Peace Process and his Personal Representative to the Palestine Liberation Organization and the Palestinian Authority. The Secretary-General looks forward to Mr. Serry working to consolidate the efforts of the United Nations to support the political process that was announced in Annapolis and to coordinate the work of the United Nations country team. In the meantime, Mr. Maxwell Gaylard, currently the Director of the Mine Action Service in the Department of Peacekeeping Operations, has been appointed to serve as Deputy Special Coordinator ad interim.

We come away from Annapolis with a clear way forward. In his remarks at the conference, the Secretary-General pledged the full support of the United Nations family for the renewed effort. He stressed the need for the joint understanding to be implemented through the beginning of final status negotiations, support to the Palestinian Authority and action to meet commitments on the ground. He noted, "Success depends not on what we say today, but on what we do tomorrow". The Secretary-General also emphasized his continuing concern for the humanitarian suffering of the population of Gaza and called for concrete initiatives to ease their suffering. He underlined the need to restore the unity of Gaza and the West Bank under the legitimate Palestinian Authority, and he lent his support to efforts to explore the possibilities for comprehensive peace.

For 60 years the Israeli State has feared for its survival and the survival of its people. For 60 years the Palestinian people have wandered and suffered in search of a State. It is time for the Palestinians to have a home of their own. It is time for the Israelis to feel at peace in their home. The time to act is now. Let us go forward and each play our part.

The President: I thank Mr. Pascoe for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.40 a.m.

United Nations S/PV.5789

Security Council

Sixty-second year

Provisional

5789th meeting

Wednesday, 5 December 2007, 10 a.m.
New York

President:	Mr. Spatafora	(Italy)
Members:	Belgium	Mr. Verbeke
	China	Mr. Liu Zhenmin
	Congo	Mr. Okio
	France	Mr. Ripert
	Ghana	Mr. Christian
	Indonesia	Mr. Natalegawa
	Panama	Mr. Arias
	Peru	Mr. Voto-Bernales
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Churkin
	Slovakia	Mr. Burian
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. DeLaurentis

Agenda

Reports of the Secretary-General on the Sudan

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-62677 (E)

The meeting was called to order at 10.15 a.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of December, I should like to take the opportunity to pay sincere tribute, on behalf of all members of the Council, to His Excellency Mr. Marty Natalegawa, Permanent Representative of Indonesia, for his service as President of the Security Council for the month of November 2007. I am sure I speak for all members of the Council in expressing deep and sincere appreciation to Ambassador Natalegawa for the great diplomatic skill and leadership with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

It is so decided.

I invite Mr. Luis Moreno-Ocampo to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court. I welcome Mr. Moreno-Ocampo and give him the floor.

Mr. Moreno-Ocampo: Mr. President, thank you for the opportunity to brief the Council on the activities of my Office.

On 31 March 2005, the Council determined that the situation in the Sudan continued to constitute a threat to international peace and security and decided to refer the situation in Darfur to the Prosecutor of the International Criminal Court.

On 5 April 2005, I met with the Secretary-General in New York to receive a sealed envelope with the conclusions of the International Commission of Inquiry on Darfur and a list of 51 names. I read the document; I sealed it again. As the Prosecutor of an independent court, I could not and did not use this list in my subsequent work.

Before opening an investigation, and in accordance with the principle of complementarity, my Office reviewed whether there were national proceedings related to allegations of serious crimes in Darfur. Having found no such proceedings, I opened a first investigation in June 2005.

We examined allegations of crimes committed by all parties. We focused our efforts on the most serious crimes, which occurred in 2003 and 2004. We investigated brutal attacks on the villages of Mukjar, Bindisi, Arawala and Kodoom. We looked impartially at incriminating and exonerating facts. We identified direct victims of crimes living in 17 countries and eyewitnesses who gave strong evidence.

In addition, we collected evidence from a wide range of sources, including the Government of the Sudan. We interviewed Sudanese officials in Khartoum and were provided with the report of the National Commission of Inquiry as well as a report from the Ministry of Defence.

After this, my Office continued to assess whether or not the Sudan investigated the case selected by the Prosecution. My Office met with all Judges and the Prosecutors of the Darfur Special Courts and we also met with the Minister of Justice.

In December 2006, I informed this Council that I was ready to submit evidence to the Judges by February 2007. I indicated, however, that my Office would go to the Sudan to check again information on national proceedings. The mission to Khartoum took place from 27 January to 7 February 2007 and found that no investigations in the Sudan addressed our case.

On 27 February, I presented my evidence to the Judges. On 27 April, the Pre-Trial Chamber of the International Criminal Court issued arrest warrants against Ahmad Harun, former Minister of State for the Interior of the Sudan, and Ali Kushayb, a militia/Janjaweed leader integrated with the popular forces who committed crimes against humanity and war crimes.

The Pre-Trial Chamber found that the case fell within the jurisdiction of the Court and was admissible, without prejudice to future challenges under the Statute. Since then, the Court has received no communication from the Sudan concerning national proceedings. There has been no challenge to admissibility from either the Government or from Ahmad Harun or Ali Kushayb.

The Court transmitted the request to execute the warrants to the Government of the Sudan on 16 June 2007. Interpol Red Notices were subsequently disseminated.

On 17 October, the Registry submitted a request to the Sudan for an update as to activities undertaken in the execution of the warrants and as to any difficulty which may have arisen, with a time limit of 15 November. The Court has received no response from the Sudan.

Under the terms of Security Council resolution 1593 (2005), "the Government of Sudan and all other parties to the conflict in Darfur, shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution". The Sudan, a Member State of the United Nations, has the legal obligation to cooperate to arrest and surrender Ahmad Harun and Ali Kushayb and has the ability to do so.

I report today to the Security Council that the Government of the Sudan has not complied with its legal obligation. The Government of the Sudan has not complied with resolution 1593 (2005). The Government of the Sudan is not cooperating with my Office, or with the Court.

Ahmad Harun and Ali Kushayb have not been arrested and surrendered. While the Sudan continues to publicly insist that it is willing and able to prosecute those responsible for serious crimes, they have done nothing. While the Sudan has known the nature of the case against Ahmad Harun and Ali Kushayb for ten months, they have done nothing. They have taken no steps to prosecute them domestically or to arrest and transfer them to The Hague.

Ali Kushayb, against whom the Government had previously indicated that there was an investigation, was reported on 30 September by the media to have been released for lack of evidence.

Regarding Ahmad Harun, all public information indicates that he would neither be surrendered to the International Criminal Court nor subject to national proceedings. The media reported in August a statement by the Sudanese Minister of Interior Bashir Taha that Harun had been interrogated but the evidence against him did not stand scrutiny. And, he added, whether it did or not, it was a matter for Sudan to decide and act upon and that the Prosecutor had no jurisdiction there; he was an intruder.

Even more serious, there are expressions of support in Khartoum in Harun's favour. Since the issuance of the warrants, Ahmad Harun has been maintained in his current position as Minister of State for Humanitarian Affairs. He is even acting Minister since the withdrawal of the Sudan People's Liberation Movement/Army from the Government. He accompanied President Bashir to Darfur on 18 June 2007. He, along with the Minister of Interior and Director General of the Police, attended the 5 September meeting when President Bashir appointed Nafie Ali Nafie to the Darfur portfolio in charge of the talks in Sirte. On this occasion Ahmad Harun reported on the "improvement" of the humanitarian situation in Darfur. In September, he was also appointed to a committee on human rights violations and breaches of the constitution in the south and north.

There is more. There is more with potential risks for the peacekeeping operations. As of 18 November, the Government's official website announced that Ahmad Harun has now been appointed to the African Union/United Nations Hybrid operation in Darfur (UNAMID) national monitoring mechanism group, overseeing the deployment of UNAMID.

The Sudan, a United Nations Member State, has not complied with its obligation under resolution 1593 (2005) to arrest and surrender the indictees. The Government of the Sudan is repeatedly challenging the Council's authority to give jurisdiction to the International Criminal Court. On 1 November in the General Assembly, the representative of the Sudan, Ambassador Abdalhaleem Mohamad, stated that, since the Sudan was not a member of the Rome Statute, the Court held no jurisdiction there. I will ask the Council to ensure respect for resolution 1593 (2005).

In June, I informed the Council that my Office would monitor current crimes. Today, I will provide as

much clarity as possible on the next steps. I hope that such information will be useful to the Council's work.

In our first case, we demonstrated how, in 2003 and 2004, Ahmad Harun, as Minister of State for the Interior, coordinated a criminal system. He recruited and used militia/Janjaweed to supplement the Sudanese Armed Forces and incite them to attack civilians. In Darfur today, massive crimes continue to be committed. I am therefore preparing to open two new investigations.

First, we have consistent indicia showing a pattern of attacks by Sudanese officials against civilians, in particular against those 2.5 million people who have been forcibly displaced into camps. Secondly, we have reports of an increasing number of attacks against humanitarian personnel and peacekeepers, as happened in Haskanita, with rebel involvement. Let me give the Council further details on those forthcoming investigations.

First, we will investigate present acts of violence against civilians, in particular the victims of displacement. We are witnessing a calculated, organized campaign by Sudanese officials to attack individuals and further destroy the entire community. All information points not to chaotic and isolated acts, but to a pattern of attacks. We cannot and should not deny reality. Calling those crimes "chaos" or "sporadic violence" or "inter-tribal clashes" is a cover-up.

The campaign of terror of 2003-2004 has achieved the forced displacement of 2.5 million people. Most of the villages have been burned down, but in Darfur today, in the few remaining villages, civilians are still being attacked and forced to flee. Examples include the joint attack on Muhajiriya by allied forces of the Government of the Sudan and militia/Janjaweed on 8 October 2007, just two months ago. Forty-eight civilians were killed; people praying in a mosque were rounded up and slaughtered. That was not an inter-tribal clash. The Sudanese Air Force bombing of Adilla in August 2007, producing 20,000 new displaced persons, was not an inter-tribal clash.

In the camps, 2.5 million victims already displaced are subjected to persecution and abuses — sexual violence, illegal detentions and unlawful killings. Far from disarming the militia/Janjaweed, as it committed to do, the Government of the Sudan has for the most part integrated them into its security apparatus and stationed them in the vicinity of camps. Rapes of women when they leave the camps are systematic. That is not an inter-tribal clash.

In the camps, 2.5 million victims are deliberately kept in a state of destitution. Obstacles to the delivery of aid are part of the pattern of attacks. In the camps, 2.5 million persons are deliberately kept in a state of insecurity, surrounded by hostile forces and threatened with forced relocation to hostile territory.

Instead of upholding their promises to facilitate returns, Sudanese officials are said to facilitate the settlement of militia/Janjaweed supporters on land inhabited previously by Fur and Masalit. In addition, approximately 35,000 Chadians have also been encouraged to settle in destroyed villages or surrounding land. Fur, Masalit and Zaghawa are thus deprived of a safe place to return. Resettlements are consolidating the displacements. Victims are faced with two options — remaining under attack in the camps or going back to hostile territory. Let me repeat that: Victims are faced with two options — remaining under attack in the camps or going back to hostile territory. They are left with no hope for the present and no prospect for the future. That is how the slow destruction of entire communities is pursued — in full sight of the international community.

The Sudan is not fulfilling its duty to protect its citizens and is allowing members of the Government to attack them. As Minister of State for Humanitarian Affairs, Ahmad Harun — a man indicted by the International Criminal Court — is responsible for providing relief, for working with international aid organizations and for coordinating with relevant security organs the security in the internally displaced persons camps. Formally, he shares responsibility for the safety and well-being of the displaced population. In reality, he joins in constant abuses against them.

The Humanitarian Aid Commission, a component of the Ministry for Humanitarian Affairs, comprising mostly security personnel, is allowed to enter and gather intelligence within the camps. They promote organized disturbances with the assistance of factions close to the Government. Then, as international actors and sheikhs try to find solutions, the camps are raided by security forces. These are not inter-tribal clashes.

Ahmad Harun himself was present during specific operations against internally displaced persons camps in past months. He was in Nyala on 20 August,

as arrest operations started in Kalma. That was not an inter-tribal clash.

All indications show that the so-called eruptions of violence and in-fighting in the camps reflect a well-designed strategy. Local civilian leaders are killed or arrested to undermine any structure within the camps. Attempts are made by Sudanese officials to dismantle the big camps, including by trying to forcibly relocate the displaced. We have witnessed the same modus operandi in Kalma and Hamadiya in past months. The objective is to disperse the inhabitants of the bigger camps into smaller groups, which are easier to control.

The Humanitarian Aid Commission also plays a pivotal role in hindering humanitarian assistance. Aid workers must have Commission permission to enter the Sudan and then Darfur. The Commission manages the complex system of permits needed to access camps. When international staff expose the reality, they are expelled. There is no connection here with inter-tribal clashes.

Allow me to remind the Council that the Commission is nothing new in the Sudan. In fact, it is similar to the Peace and Resettlement Administration created in South Kordofan in the 1990s. That Administration had close links to national security, was dominated by former security staff, oversaw internally displaced persons camps and collected information to prepare attacks on villages. Ahmad Harun was Executive Director of the Administration from 1997 until 2000.

In Darfur in 2003 and 2004, we witnessed the first phase of the criminal plan coordinated by Ahmad Harun. Millions of people were forced out of their villages and into camps. Now, in the second phase — happening right now in front of our eyes — the victims are being attacked in the camps.

Ahmad Harun is a key actor, but he is not alone. Failure to take any steps to investigate or arrest him and failure to remove him from office are clear indications of the support he receives from other high officials.

The failure to protect persons displaced from constant attacks by militia/Janjaweed and Government of the Sudan agents and the failure to facilitate the deployment of peacekeepers who could protect the victims are clear indications of endorsement, acquiescence or active participation by other high officials.

My Office will proceed to investigate who bears the greatest responsibility for ongoing attacks against civilians, who is maintaining Harun in a position to commit crimes and who gives him instructions. That is my second case.

Allow me now to address our other new investigation. On 29 October, 10 soldiers of the African Union Mission in the Sudan (AMIS) were killed, eight were injured and one was unaccounted for after the attack on the Haskanita base. The incident appears to have been committed by rebel forces. It represents an increasing trend in attacks against African Union, United Nations and other international workers by various forces, a trend which my Office is monitoring with concern. Attacks on humanitarian convoys have a devastating effect.

Such attacks or threats of attack on peacekeepers and aid personnel will be investigated by my Office. They can constitute a war crime under the Rome Statute. They also further undermine efforts to protect the civilian population.

We note with concern that the Sudan is taking no measures to protect international forces. There are allegations that some Sudanese aircraft have been painted with United Nations or African Union colours and are used in Darfur. Such acts — among others — undermine the United Nations and African Union, create the impression of collusion and can encourage attacks against them.

I wish to take this opportunity to ask all members of the Security Council, all States Members of the United Nations and all relevant organizations to volunteer specific information and thus assist in conducting our two new investigations.

Allow me to address further the issue of cooperation. First, I want to thank all those who have responded to our requests for information on the possible movements of our indictees. I am pleased to report that no State has been reluctant to share information.

Regarding cooperation with the African Union, Deputy Prosecutor Fatou Bensouda and I met with members of the African Group in New York. I thank South Africa for having hosted such meetings. On 20 June 2007, I updated the President of the African

Union, Ghanaian President Kufuor, on our work in Darfur. We also met with the representative of Congo in August in his then-capacity as President of the Security Council.

Since June, the Deputy Prosecutor and I have met, respectively, with Secretary-General Ban Ki-moon and Deputy Secretary-General Asha-Rose Migiro. I am very grateful for the Secretary-General's efforts to remind President Al-Bashir of his obligation to execute the arrest warrants.

Since June, I have also briefed the European Union and ministers of European Union member States. I have continued constructive exchanges with the Secretary-General of the League of Arab States and with its member States on international criminal justice. I have been invited to visit a number of States in the region next year. Their support for the independence and impartiality of my work is invaluable.

I have informed the Security Council today that the people of Darfur are being attacked by members of the Government in their homes and in the camps. This is the reality. Ahmad Harun, a man charged with 50 counts of crimes against humanity and war crimes should not be entrusted with his victims' safety. He must be arrested.

Maintaining Harun in his position is a clear indication of collusion with other officials. Who is taking responsibility for supporting him? This is the new case I will bring to the Judges. Maintaining Harun in his position is a direct threat to millions of victims and to the humanitarian workers and peacekeepers seeking to protect them.

When will there be a better time to arrest Harun? How many more women and girls have to be raped? How many persons have to be killed? Must we really wait, again, for the destruction of entire communities?

I ask the Security Council for consistency. I ask the Security Council to send a strong and unanimous message today to the Government of the Sudan, requesting compliance with resolution 1593 (2005), requesting the execution of the arrest warrants. This same consistency is needed throughout the United Nations. It would be both inaccurate and confusing to convey in any way to the Government of the Sudan that the arrest warrants and the obligation to comply with resolution 1593 (2005) will go away.

The only realistic solution today is to request the removal and arrest of Harun as a first step to any solution. That will send a signal to the perpetrators of crimes in Darfur that the international community is not only watching, but will also hold them accountable for their actions. The Council can make a difference; it can break the criminal system. What is at stake is, quite simply, the life or death of 2.5 million people.

The President: I thank Mr. Moreno-Ocampo for his briefing. I shall now call on the members of the Security Council who wish to take the floor.

Mr. Arias (Panama) (*spoke in Spanish*): Mr. President, allow me, first of all, on behalf of Panama and my delegation, to express our gratitude for the report of Prosecutor Moreno-Ocampo, in particular for his outstanding work at the head of the Office of the Prosecutor of the International Criminal Court (ICC). We are aware of the difficult task that the Prosecutor of that institution faces, and we urge him to continue to tackle his work with the same ability with which he has done so over all of these years.

The crime of genocide and crimes against humanity that the world witnessed at the end of the last century resulted, inter alia, in the establishment of special criminal tribunals for Rwanda and the former Yugoslavia. Furthermore, they motivated a group of States to form a universal tribunal to try this type of crime. The Rome Statute, through which the International Criminal Court was established, stipulates in article 13 (b) that the Security Council, acting under Chapter VII of the United Nations Charter, can refer to the Court a situation in which there are indications that one or more such crimes that are under the Court's competence have been committed. Indeed, in resolution 1593 (2005) the Security Council referred the situation in Darfur to the Prosecutor of the Court for investigation and, if necessary, to try individuals held responsible for violations of international humanitarian law and of human rights. Moreover, the Council decided that the Government of the Sudan and the other parties to the conflict in Darfur should cooperate with the Court and with the Prosecutor.

After 20 months of investigation, the Prosecutor determined the existence of sufficient evidence to try Colonel Ahmad Harun and Ali Kushayb for crimes against humanity committed in Darfur. The Judges of the Court, as a result, issued arrest warrants for both of these individuals in April 2007. To date, the

Government of the Sudan has ignored those warrants, as was confirmed to us today by Mr. Moreno-Ocampo, and does not permit the Court to fulfil its duties. Moreover, that represents contempt for international obligations on the part of the Sudan and disregard for the authority of this Council.

The Sudan's lack of compliance violates the fundamental principles of the United Nations Charter. Moreover, if the Council were to ignore that contempt, that would open space for future acts of contempt. Therefore, it is the duty of this Council to demand that the Government of the Sudan and all other parties to the conflict in Darfur fulfil their obligation to cooperate with the Court, as set out in resolution 1593 (2005). Otherwise, this Council would not be fulfilling its own obligations under the Charter.

At the same time, we are concerned that the civilian population continues to suffer from coordinated attacks and systematic violations of human rights. We cannot allow the conflict in Darfur to continue to serve as an incentive for ongoing crimes against the dignity of the human being. We support the International Criminal Court in its investigation of all of these cases.

Finally, with regard to the attacks on the members of the United Nations peacekeeping forces in Darfur, they must be subject to the strictest investigation by both the United Nations and the Government of the Sudan.

Mr. Ripert (France) (*spoke in French*): In spite of the distressing nature of today's debate, I would first like to use this opportunity to thank the Ambassador of Indonesia for the way he presided over the Council during November, to wish you, Mr. President, success and to assure you of our support during your presidency.

I would like to thank Mr. Moreno-Ocampo for the detailed, very moving and concise report he has presented to us in compliance with resolution 1593 (2005). Through that resolution, the Security Council referred to the Prosecutor of the International Criminal Court (ICC) the situation in Darfur since 1 July 2002. In accordance with Chapter VII of the Charter, the Council thus intended to make the fight against impunity for the crimes committed in Darfur a key element in the solution to the threat to peace and security in the Sudan and in the region, of which the Council was seized.

France welcomes the fact that the Security Council has shouldered its responsibilities to ensure that the fight against impunity does not remain a dead letter, as the atrocities committed in Darfur are contrary to the founding principles of the United Nations. Twenty months later, the report presented by Mr. Moreno-Ocampo, a perfectly clear and precise report, makes the following affirmations.

First, crimes that come under the jurisdiction of the ICC and which come under the purview of resolution 1593 (2005) continue to be committed in Darfur, including against the 2.5 million persons who have been forcibly displaced to the camps, and against humanitarian personnel. The Prosecutor spoke of massive crimes, and, like him, we note the extent of the acts of sexual violence, arbitrary arrests and assassinations. I also note the organized, voluntary and concerted nature of those systematic acts of violence.

Secondly, the Sudanese Government is not cooperating with the Court, nor is it implementing the arrest warrants the Court issued on 27 April for war crimes and crimes against humanity against Ahmad Harun, the former Minister for the Interior and the current Minister for Humanitarian Affairs, and Ali Kushayb, the head of the militia. The Prosecutor has indicated the direct involvement of these individuals in the crimes committed in Darfur.

Thirdly, not only is the Sudanese Government not executing the arrest warrants, but is in fact impeding the work of the Court by denying the existence of the alleged crimes and by appointing Ahmad Harun to a post which has given him direct power over the individuals whose displacement he ordered under his previous functions, and — the height of irony or of provocation — putting him in charge of the Sudan's relations with the United Nations. As for Ali Kushayb, his actions and freedom of movement have in no way been impeded.

In paragraph 2 of resolution 1593 (2005), the Security Council decided "that the Government of Sudan and all other parties to the conflict in Darfur, shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor". This is a decision taken by the Council.

Despite the in-depth investigation conducted by the Prosecutor, which clearly detailed the manner in which the crimes committed by Ahmad Harun and Ali Kushayb were perpetrated, the Sudanese Government

denies the crimes and protects those individuals. The Government has not followed up with the required legal proceedings in view of the results of the Prosecutor's investigation. The conditions for applying the principle of complementarity, which permits the Court to exercise its jurisdiction, have thus been fulfilled.

The lack of cooperation by the Sudanese authorities prevents the Court from exercising its jurisdiction. As a result, France shares the conclusion outlined by Mr. Moreno-Ocampo that the Sudanese Government has not fulfilled its legal obligations in the implementation of resolution 1593 (2005). The Prosecutor has just recalled for us that Harun alone is currently charged with 50 counts of war crimes and crimes against humanity.

Our Council must react in view of these facts. We must do our utmost to support the efforts of the Court so that it is able to fulfil the task we entrusted to it when we referred to it the situation in Darfur. Clearly, that requires the execution of the arrest warrants against Ahmad Harun and Ali Kushayb. The Sudanese Government must be reminded of its obligations and responsibilities. We owe that to the thousands of victims and the 2.5 million internally displaced persons who still live in the terror of the camps.

In its resolution, the Council encouraged the Court to support international cooperation with efforts to promote the rule of law, protect human rights and combat impunity in Darfur. It underscored the need to promote healing and reconciliation in order to strengthen efforts to restore durable peace.

In that spirit that we must today forcefully express our support for the International Criminal Court in fulfilling its mission. It is the indispensable complement of our actions to bring about political reconstruction and to ensure security on the ground through the deployment of a hybrid force — which, as I recall, is still being impeded, in particular by obstacles created by the Sudanese Government.

My Government wishes therefore to state very clearly that the Security Council should adopt a declaration reminding the Sudan very firmly of its obligation to cooperate with the International Criminal Court.

Sir John Sawers (United Kingdom): May I join my colleagues in thanking Prosecutor Moreno-Ocampo for all the efforts he and his Office have made over the past six months to implement the mandates conferred by the Security Council on him to investigate the situation in Darfur. And I would like to thank him in particular for his report and his statement today, which was a frank and disturbing account of recent events in Darfur and in the Sudan relevant to the mandate of the International Criminal Court (ICC).

The United Kingdom is a strong supporter of the ICC. We see it as a central pillar of the international community's efforts to combat impunity for the most serious crimes of international concern. Justice is an essential part of delivering a sustainable peace in Darfur, as we recognized when the Security Council adopted resolution 1593 (2005). It is important that those who have been accused of the most serious crimes are brought to justice.

My Government is therefore gravely concerned that the two individuals for whom the Court has issued arrest warrants remain at large and that the Government of the Sudan has not given any cooperation to the Court. We note that since the warrants were transmitted to the Government of the Sudan in June this year, instead of cooperating with the Court in the execution of the warrants, as it is legally obliged to do under resolution 1593 (2005), the Government has instead adopted the course of protecting the indictees. The Prosecutor's accounts of the activities of Ahmad Harun and the protection he enjoys from the Sudanese Government is of special concern.

The Government of the Sudan clearly has the ability to arrest and surrender the two indictees to the Court but has chosen not to do so, in defiance both of the International Criminal Court and of the Security Council.

We are also deeply concerned by the Prosecutor's reports of ongoing crimes in Darfur against civilians, including displaced persons within their camps, and against humanitarian workers and United Nations and African Union personnel. The numerous incidents catalogued in the Prosecutor's report illustrate the very grave humanitarian situation which continues to exist in Darfur. My Government deplores acts of violence committed by all parties to the conflict and calls on all sides to work together towards a peaceful resolution.

I therefore urge the Government of the Sudan, on behalf of the Government of the United Kingdom, to

comply with its obligations under resolution 1593 (2005) and to cooperate with the Court, specifically by ensuring the immediate arrest and surrender of the two indictees.

We also call on all other parties to the conflict in Darfur to cooperate fully with and provide any necessary assistance to the Court and its Prosecutor. There can be no impunity for the terrible crimes committed in Darfur.

The Security Council should, in the view of the United Kingdom, give its full and public backing to the International Criminal Court. In the light of the Prosecutor's account of the failure of the Government of the Sudan to cooperate, that warrants a formal response by the Council today, as suggested by the Permanent Representatives of Panama and France. I agree with their proposals and I hope that such a response can be agreed.

Mr. Verbeke (Belgium) (*spoke in French*): First of all I wish to thank Prosecutor Moreno-Ocampo for his briefing, which has moved us and cannot leave us indifferent. I wish to reiterate the importance that Belgium attributes to the key role of the International Criminal Court (ICC) in combating impunity and suppressing crimes of genocide, crimes against humanity and war crimes.

My country has had the opportunity on several occasions to express its firm support for the Court, in particular through its Prime Minister Guy Verhofstadt during the Security Council debate at the level of heads of State and Government in September, under the French presidency (see S/PV.5749). The Prime Minister expressed very clearly the feeling of horror and revulsion caused by crimes committed in Uganda and called for the immediate arrest of Mr. Joseph Kony and other individuals against whom the Court has issued arrest warrants.

As regards the situation in the Democratic Republic of the Congo, my delegation is delighted with the excellent cooperation between the authorities of the Democratic Republic of the Congo and the Court which has lead to the transfer of Mr. Thomas Lubanga and Mr. Germain Katanga to The Hague.

With regard to the situation in the Central African Republic, which is currently the subject of an inquiry of the Office of the Prosecutor, we are following that situation very carefully.

The situation we are discussing this morning, that of Darfur, is different from previous situations mentioned since it was referred to the Prosecutor by this Security Council in resolution 1593 (2005). The question here is not therefore to know if we support the International Criminal Court in general terms. The question concerns respect for a resolution of the Security Council — adopted under Chapter VII of the Charter — which unambiguously stipulates that

> "the Government of Sudan and all other parties to the conflict in Darfur shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor". (*resolution 1593 (2005), para. 2*)

From the report before us, it would seem not only that the Government of the Sudan is failing to cooperate with the Prosecutor as required by the Security Council, but also that, since the issuance of arrest warrants by the Court's Pre-Trial Chamber against Mr. Ahmad Harun and Mr. Ali Kushayb, the signs of official support for those two persons have continued.

This blatant refusal to cooperate shows great contempt not only for alleged victims of crimes against humanity and war crimes, but also for decisions taken by the Security Council on behalf of the international community. That is why my delegation, like others, is in favour of a clear reminder by the Council of the terms of resolution 1593 (2005) and the obligations set out therein, not only so that justice can be done, but also so that due respect for the Council can be recalled.

As the Council recalled in the presidential statement adopted on 24 October 2007 (S/PRST/2007/41), on the situation in the Sudan, "due process must take its course". Clearly, the requirement of justice is a requirement in and of itself, but we are convinced that it is also a factor for peace and stability that is part of a larger process. In the activities of the International Criminal Court related to the Sudan, it is not only the fight against impunity for past crimes that is at stake. The report of Prosecutor Moreno-Ocampo reminds us how worrisome the violence in Darfur is today and that, at this very moment, crimes falling under the Court's jurisdiction are being committed in the region on a large scale and in a systematic and deliberate manner. We shall continue to follow very closely the developments in the situation and the activities of the Office of the Prosecutor in that regard.

In Darfur, the search for a comprehensive solution involves a four-pronged approach: political, military, humanitarian and judicial. We regard the elements of such a fourfold approach as complementary.

Finally, I should like to stress that we are also paying close attention to other parts of Prosecutor Moreno-Ocampo's report, particularly its description of the impact of the situation in Chad and the Central African Republic.

Mr. Rogachev (Russian Federation) (*spoke in Russian*): I wish to join others in thanking Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court (ICC), for his briefing and for his six-monthly report on the work done by his Office in investigating the situation in Darfur.

The Russian delegation commends the efforts of the Prosecutor's Office to resolve the very difficult issue of bringing to justice those accused of committing crimes in Darfur. However, it would probably be a mistake to limit the work of the ICC in the Sudan to combating impunity. We regard that work in broader terms, as part of the overall efforts to resolve the situation in the region.

It is with great regret that we have learned that cooperation between the ICC and the Government of the Sudan is now in a state of near collapse. Clearly, the current atmosphere of mistrust between the Sudan and the ICC is not helping the investigation. We need to step up our efforts to promote a constructive dialogue between the parties. We call on the Sudanese authorities to take the necessary measures in that regard, including within the framework of existing legal procedures and mechanisms.

An important aspect of creating an atmosphere of trust would be for the investigation to focus on crimes committed by rebels. Efforts by the Prosecutor to that end would assist the peace process and encourage all parties to the conflict to seek dialogue and a cessation of violence. Another important aspect would be full involvement by the Sudanese legal system in investigating the crimes committed. Further promotion of dialogue between the ICC and the African Union could also facilitate the situation.

Monitoring the humanitarian situation in Darfur is an important part of the work of the Prosecutor's Office. We are grateful to the Prosecutor for the information that he has given us. Although this subject is addressed in other reports and discussed separately in the Security Council, it would be desirable, in terms of the implementation of resolution 1593 (2005), to devote attention to situations that obviously involve crimes: for example, attacks against civilians and peacekeeping convoys. We believe it is regrettable that the investigation has not yet managed to fully address the attack on peacekeepers in Haskanita.

The report presented in the briefing describes a shift to a new, politically sensitive phase in the investigation in Darfur. At this juncture, we must act with extreme caution to promote the Hybrid Operation in the region, fully mindful of the consequences that any actions regarding the situation in the region could have for hundreds of thousands of people.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The Chinese delegation would like to congratulate you, Sir, on Italy's assumption of the presidency of the Security Council for the current month. You and your team can count on our full support. We also wish to thank the Permanent Representative of Indonesia for his important work as President last month.

China wishes to thank Prosecutor Moreno-Ocampo for his briefing and commends the International Criminal Court (ICC) for its efforts to resolve the problem of impunity in Darfur, Sudan. The causes of the problem in Darfur are complex. Any settlement plan must ensure that the correct solution is found.

After years of dealing with the issue, the international community's approach to resolving the problem of Darfur is continuing to develop. Currently, the consensus on all sides is that, in dealing with the Darfur problem, we should comprehensively address all its aspects — political, security, humanitarian, development and judicial. We must strike a balance in undertaking measures involving those aspects. Appropriate and sound decisions should also be taken on the basis of the priorities involved at various times. Even more important, all aspects of such efforts should be complementary and mutually reinforcing, not truncated and isolated.

From the very outset, China has believed that the most urgent aspect of resolving the problem of Darfur is to stabilize and improve the security situation. At this point, the international community is moving forward with its two-track approach and accelerating

the deployment of the Hybrid Operation on the ground. At the same time, it is striving to move forward the political negotiations on Darfur. That is now the overall objective in the Darfur situation, and work on all other aspects should contribute to its attainment.

China supports the international community's continuing efforts to resolve the problem of impunity in the region. We hope that judicial bodies in the Sudan will continue to make efforts in that regard. We encourage the Government of the Sudan to continue to step up its communications, establish mutual trust and strengthen cooperation with the ICC.

In our view, it is only through an improvement of the situation in Darfur and the stabilization of the political situation that the problem of impunity can be resolved. Only then will judicial fairness be fundamentally achieved. The ICC became involved in the problem of Darfur on the basis of a Security Council resolution mandate. Its work should also complement the efforts of the international community to advance the political process and deploy peacekeepers. It is necessary to seek and obtain the support and cooperation of the Sudanese Government. To ignore the overall political and security situation there, simply stress ending impunity and push solely for mandatory measures is an approach unlikely to result in cooperation and support from the Sudanese Government. It would also hardly be conducive to the overall efforts of the international community to resolve the problem of Darfur.

Ending impunity is an essential component of resolving the problem of Darfur. We support the ICC in playing a constructive role and hope that the Security Council will achieve a comprehensive resolution to the problem of Darfur.

Mr. Burian (Slovakia): We also would like to thank Mr. Moreno-Ocampo, Prosecutor of the International Criminal Court (ICC), for his valuable and sobering briefing, as well as for his comprehensive report to the Security Council pursuant to resolution 1593 (2005). We would also like to take this opportunity to commend the Prosecutor for his outstanding work.

Slovakia is deeply concerned about the serious crimes and gross violations of human rights in Darfur, and especially about the systematic pattern of targeting civilians, including women and children. We also strongly deplore the ongoing deliberate attacks against United Nations personnel, African Union staff and a number of relief workers in the region. In that regard, we would like to underline the responsibility of the Government of the Sudan to bring an end to crimes in Darfur and to not allow impunity. We would like to reiterate our view that bringing to justice the perpetrators of those horrible crimes and abuses should be an integral component of a comprehensive solution for Darfur. We also believe that it will be hard, if not impossible, to achieve lasting peace in Darfur without addressing impunity.

We note with concern the observation that the Government of the Sudan has refused to cooperate with the ICC and has failed to execute the arrest warrants issued against Ahmad Muhammad Harun and Ali Kushayb. We wish to underline that the Government's lack of cooperation with the ICC is unacceptable. In our view, it is also totally unacceptable that Mr. Harun continues to serve as Sudan's Minister of State for Humanitarian Affairs, with authority over the refugee camps that were created as a direct consequence of his allegedly criminal activities in Darfur. It is shocking that he also controls the flow of humanitarian aid in Darfur. Moreover, we agree with the observation that his presence in the Government creates the impression that the Government of the Sudan is protecting the indictees, or even supporting the horrible crimes.

We would therefore like to emphasize that under resolution 1593 (2005) all States, including the Sudan, must cooperate fully with, and provide any necessary assistance to, the ICC and its Prosecutor. In that regard, we call on the Government of the Sudan to accept the ICC's jurisdiction and to start effective cooperation with it, including by arresting those two individuals and surrendering them to the ICC.

Finally, we agree with Mr. Moreno-Ocampo and previous speakers that the Security Council must send a strong and unanimous message to all perpetrators that it will not tolerate impunity and disregard for international legal obligations. We would like to express our support for the proposal to adopt a clear Security Council statement in that regard.

Mr. DeLaurentis (United States of America): Let me say up front that the concerns of the United States about the Rome Statute and the International Criminal Court (ICC) are well known and have not changed. In spite of those concerns, we very much appreciate the

report of Prosecutor Moreno-Ocampo with respect to his work pursuant to resolution 1593 (2005).

The United States has consistently supported bringing to justice those responsible for crimes, human rights violations and atrocities in Darfur. The violence in Darfur must end. Those who have committed atrocities in Darfur must be brought to account.

We share the Prosecutor's assessments that the ongoing situation in Darfur is alarming and that justice for crimes against the people of Darfur is needed to enhance security and send a warning to individuals who might resort to criminality as a way of achieving their aims.

The United States is particularly troubled by the Prosecutor's report that the Government of the Sudan is still not cooperating and has taken no steps to arrest and surrender the two individuals that are subject to ICC arrest warrants, namely, Ahmad Muhammad Harun, current Minister of State for Humanitarian Affairs, and the Janjaweed leader known as Ali Kushayb. We call on the Sudanese Government to cooperate fully with the ICC, as required by resolution 1593 (2005).

As we noted following the Prosecutor's last briefing to the Council on Darfur, the United States has imposed targeted economic sanctions against certain individuals responsible for the violence, a transport company that has moved weapons to the Janjaweed militia and Government forces, and companies owned or controlled by the Government of the Sudan.

We also share the Prosecutor's concern about the increasing number of attacks, not only on displaced persons and other innocent civilians but also on personnel of the African Union and the United Nations and international aid workers. Violence and criminality against those who came to help the suffering people of Darfur are intolerable. Impunity for such acts must end.

The United States continues to be deeply committed to peace, stability and the provision of humanitarian aid for the people of the Sudan. Presidential Special Envoy Natsios and Deputy Secretary Negroponte have both visited the Sudan the past year to consult with all parties to stress our continued support for the Darfur Peace Agreement and the Comprehensive Peace Agreement and the deployment of the African Union-United Nations Hybrid Operation in Darfur as mandated by resolution 1769 (2007). We also continue to urge those who have not signed the Darfur Peace Agreement or agreed to participate in the peace process led jointly by the United Nations and the African Union to do so quickly, so that efforts to rebuild Darfur may accelerate.

The United States believes strongly in the need for accountability for acts of genocide, war crimes and crimes against humanity committed in Darfur. We look forward to continuing to work with other members of the Council on constructive steps to achieve that important objective.

Mr. Natalegawa (Indonesia): Allow me, first, to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for the month of December and to assure you of my delegation's full support in the conduct of your work. I should also like to thank you for the kind words addressed to Indonesia as President of the Council for the month of November.

We thank Mr. Moreno-Ocampo for his briefing regarding the activities of the International Criminal Court (ICC) since June 2007.

Various atrocities continue to be committed by all sides in Darfur. We note that since the Prosecutor's briefing last June, the ICC has delivered requests to the Government of the Sudan for the arrest and surrender of certain individuals. Those requests were also reiterated in statements by the Prosecutor and Court officials, including by the President of the ICC to the General Assembly. My delegation notes and appreciates the Prosecutor's efforts to pursue contacts with the Sudan's neighbours, the United Nations Secretariat, the African Union (AU), the League of Arab States, local groups, non-governmental organizations (NGOs) and others. We also note the Prosecutor's position that alleged attacks committed by rebel factions against peacekeepers and humanitarian convoys warrant further investigations.

It is deeply troubling that the conflict in Darfur is continuing, with the attending consequences of a worsening humanitarian situation. The displacement of the population, the deliberate attacks on civilians, humanitarian personnel and peacekeepers as well as tribal clashes can, if unchecked, only create more difficulties for the establishment of peace. The civilian toll of the conflict also gives us pause. It has also been the worst year for the African Union Mission in Sudan (AMIS) peacekeepers in terms of staff killed and

wounded — more than half of the AMIS personnel killed since the mission's deployment in 2004 were killed this year. The Council condemned the Haskanita attack against AMIS at the end of September, which killed 10 AU peacekeepers. The Council has also demanded that no effort be spared to identify and bring to justice the perpetrators.

My delegation condemns the continued gross violations of human rights and international humanitarian law in Darfur. These crimes are egregious affronts to the norms, rules and collective conscience of the international community. The perpetrators of those acts must be brought to justice. We extend our deepest sympathies and solidarity to the victims for their suffering, as well as to the people of the Sudan, who continue to face the impact of conflicts in their country. In the interest of the victims and the community as a whole, justice must be served without unnecessary delay.

This Council received important briefings from Special Envoy Jan Eliasson and Under-Secretary-General Guéhenno last week on the status of the political process and deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID). Using the Addis Ababa conclusions of last year as a yardstick, we believe we are making some headway in the political process and the deployment of UNAMID. The briefings, however, also made clear the challenges confronting those efforts. They include the boycott of the Sirte talks, a lack of critical specialized units for UNAMID and difficulties in the talks between the Secretariat and the Sudanese authorities on the follow-up to resolution 1769 (2007).

These developments point to the need for the Council to continue to enhance its efforts to attain a political framework for peace and a sustainable ceasefire, supported by effective peacekeeping. Moreover, we believe that it is essential that the Council maintain its unity, encourage the parties in the Sudan to participate constructively in the peace process and push forward with the Hybrid Operation.

While peace cannot be complete and sustainable without justice, justice cannot prosper in the absence of peace. The implementation of resolution 1593 (2005) should pay due regard to the wider efforts to achieve peace in the Sudan. Dialogue and cooperation with the Government of the Sudan is key.

The role of the ICC, in accordance with the Rome Statute, should be complementary to national criminal jurisdiction. We believe that the implementation of resolution 1593 (2005) and action taken by the Prosecutor shall neither nullify the principle of complementarity nor prevent the Sudanese national court from invoking its jurisdiction against the perpetrators. We also believe that the cooperation of the Government of the Sudan with the ICC should be addressed in a comprehensive manner in the context of achieving peace and security.

Finally, we wish to underline the dependence of the Court on the conduct of its work. We believe that once a case has been referred to the Court, including by the Council, there should be no interference in the legal process. At the same time, we recognize and underline the responsibility of the Security Council to ensure that the Government of the Sudan complies fully with the provisions of Security Council resolution 1593 (2005). There cannot be any impunity.

Mr. Kumalo (South Africa): Let me congratulate you, Mr. President, on assuming the presidency for the month of December, and assure you of my delegation's support. Allow me also to thank the Ambassador of Indonesia for his sterling work in presiding over the Council during the month of November. I also wish to express my delegation's appreciation to the Prosecutor for International Criminal Court for his statement before this chamber and in particular for the important work that he is doing.

South Africa is a member of the International Criminal Court, and we remain committed to supporting the important work of the Court. We see the International Criminal Court as central to ending impunity for international crimes and to establishing conditions under which justice and the rule of law can be maintained. The Court, through its ability to deter further commission of international crimes, serves as an advocate of adherence to the rule of law, and thus we expect cooperation with its work.

We are acutely aware of the challenges facing the Prosecutor, arising primarily from the fact that the International Criminal Court does not have its own police or army to serve its warrants of arrest, and therefore depends entirely on the cooperation of States. It would seem to us that there is a responsibility upon the Security Council to demand the cooperation of

States, particularly in cases where the Security Council has referred cases to the Court.

In resolution 1593 (2005), the Security Council called upon the Government of the Sudan and all other parties in Darfur to cooperate fully and to provide necessary assistance to the Courts and the Prosecutor pursuant to that resolution. The Council also recognized in that resolution that, while the States not party to the Rome Statute have no obligation under the Statute, it none the less urged that all States and concerned regional and other international organizations cooperate fully with the Court. We urge the Government of the Sudan, and other parties involved in Darfur, to cooperate fully with the International Criminal Court.

We believe that there can be no military solution to the conflict in Darfur. A political process inclusive of all parties should be vigorously pursued. At the same time, we would hope that the African Union-United Nations Hybrid Operation in Darfur will be deployed on the ground as soon as possible to help stop the ongoing carnage in Darfur. This is the least that the people of Darfur would expect, as they are subjected to persecution, abuses and violations of fundamental human rights.

It is for this reason that we would support the Council's issuing a declaration reaffirming its position.

Mr. Christian (Ghana): I also wish to congratulate you, Mr. President, for assuming the presidency of the Council for the month of December, and I assure you, Sir, of the cooperation of my delegation. I also thank you, Sir, for organizing this informative briefing.

My delegation commends Ambassador Natalegawa for the excellent work done during Indonesia's presidency in November.

Ghana shares the view that the question of justice for the victims of war crimes and crimes against humanity is a integral part of the peace process and national reconciliation. In this regard, we wish to emphasize that the destabilizing effects of impunity are very real and must not be underestimated, especially within the context of the Sudan. We firmly believe that resolution 1593 (2005) has a special place in the Darfur peace process that must be fully implemented with the support of both the Government of the Sudan and the International Criminal Court. My delegation, therefore, remains concerned about the lack of significant progress in the judicial process in relation to the case involving those individuals for whom arrest warrants were issued in April 2007.

In this context, we call on the Government of the Sudan not to take any steps that could be construed as an affront or challenge to the Council's authority. We are of the view that the lack of cooperation by the Government of the Sudan with the Council and the International Criminal Court is not in the interest of any party. Appropriate measures must therefore be taken to break this impasse. In this regard, firm persuasion and pressure from the international community must be sustained. It is only then that we can make progress in this matter. To prolong the stalemate will send the wrong signal to potential and actual perpetrators of the most serious crimes elsewhere.

The recent killing of 10 peacekeepers of the African Union Mission in the Sudan (AMIS) reinforces our belief that when war crimes go unpunished, that only emboldens the spoilers to continue obstructing progress towards a political settlement and durable peace in Darfur.

On the question of admissibility, we agree with the Prosecutor that under the provisions of the Rome Statute the situation on the ground gives a strong basis for the admissibility of the Darfur situation before the Court. The Court therefore has a solid legal and moral basis to exercise jurisdiction.

Finally, we encourage the Office of the Prosecutor to continue with its outreach programme aimed at sensitizing victims and communities. It is vitally important that the Sudanese people see the International Criminal Court as an important ally in the protection of human rights.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council for this important month, whose agenda is full of important, sensitive topics. We are fully confident of your wisdom and ability, and we assure you of our full cooperation with you and your delegation. I would also like to extend our thanks and appreciation to the delegation of Indonesia for its outstanding work during the month of November.

Allow me also to thank Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court (ICC), for his report on the situation in Darfur, submitted pursuant to resolution 1593 (2005). We wish him continued success in his work.

Everyone agrees on the need to apply and uphold the principles of the rule of law, criminal accountability and justice, both in Darfur and in other areas of conflict, especially through punishing those who have committed violations of international humanitarian law. We therefore remain concerned about the direct and deliberate attacks by factions of rebel movement that remain outside the framework of the Darfur Peace Agreement, targeting peacekeepers, humanitarian personnel and even vehicles delivering humanitarian assistance, as well as setting up ambushes, looting and killing humanitarian personnel and African Union military observers, or threatening them at gunpoint.

The most striking evidence of this situation is October's murderous terrorist attack on the African Union Mission in Sudan (AMIS) in Haskanita. The Security Council has already condemned that attack and has demanded that no effort be spared to identify the perpetrators and bring them to justice. All such violations are crimes within the jurisdiction of the Sudanese judiciary and the International Criminal Court. The criminals stand in the way of progress towards peace in Darfur and should therefore be punished in accordance with the law.

My delegation calls on the Government of the Sudan to pursue its investigations, to prosecute all those charged with crimes against humanity in Darfur, pursuant to Sudanese criminal law, international humanitarian law and the relevant international conventions, and to take all actions necessary to prevent impunity. In this regard, we also call on the Prosecutor unfailingly to recall that the jurisdiction of the ICC is complementary to national jurisdiction. We therefore call on him to refer his cases and investigations to the Sudanese judiciary, as appropriate.

We also call on the Prosecutor to continue to perform his work in a discreet and professional manner and not to draw conclusions about the nature of the crimes committed or the persons accused of committing them until he has fully and impartially completed his investigations and until he has carefully and objectively evaluated the investigations and proceedings conducted by the Sudanese judiciary. We call on the Government of the Sudan, for its part, to cooperate with the Prosecutor of the ICC to achieve those goals.

I would like on this occasion to assure the Council that the State of Qatar has made strenuous and sustained efforts to urge the Government of the Sudan to cooperate with the Court in accordance with international legitimacy. We should not view the ICC or its Prosecutor as political tools in the hands of the Security Council; rather, the Court must be seen as an independent and impartial judicial body that strives to reach a loftier goal: achieving justice and not political goals or purposes.

In this regard, we support the finding of the Prosecutor that there is considerable uncertainty surrounding the list of names submitted by the International Commission of Inquiry and persons named by the Security Council Committee established pursuant to resolution 1591 (2005) or by the Security Council itself in resolution 1672 (2006), and that the identification of indictees by the Office of the Prosecutor is not limited to the list of suspects established by those bodies.

Expediting the investigations and indicting or prosecuting all those suspected of committing violations of international humanitarian law, both at the national and international levels, must not be to the detriment of justice and the rights of indictees to a fair trial where all their procedural rights are guaranteed and the standards and principles of due process respected. Having said that, we call on all parties to take into account national and international judicial procedures and not to seek to influence them in any way whatsoever, but rather to support them fully in order to reach the ultimate goal, namely, justice and the rule of law, so that security, peace and stability can prevail in Darfur.

The references in the Prosecutor's report to the lack of information regarding measures taken by the Government of the Sudan to protect the international forces — apart from being undocumented allegations that have been denied by the Government of the Sudan — constitute a departure from the purview of the report mandated by the Security Council in resolution 1593 (2005), since that matter constitutes a political issue unrelated to the work of the Court.

That is also the case, for instance, with respect to the report's assessment of the policies of the Government of the Sudan, the allegation that Sudanese aircraft have been painted with African Union or United Nations colours and flags to be used in the campaign against the rebellion in Darfur, and the conclusion that such actions undermine the work of the United Nations and the African Union. All those views mark a change in the Prosecutor's methodology, to which we have become accustomed, in which he has confined himself to addressing issues that are related to the judicial process, not to the political process or the Hybrid Operation.

It is worth noting that the Government of the Sudan, from the legal point of view, has several options, not only that of handing over the suspects. In fact, the Government of the Sudan can, in accordance with articles 19 and 82 of the Statute of the International Criminal Court, challenge the admissibility of the case. We must, therefore, not prejudge an offence by putting emphasis on the arrest and handing over of the wanted individuals as the only option. That option is not the only one as long as the possibility of appeal is still open.

Consequently, we must understand the legal and judicial rights of the Sudan according to the Statute of the Court. As we have already said, taking any action outside the legal and judiciary processes would be at the expense of justice and the right of the indictees to a fair trial, including the right to appeal. As for our observations on the briefing by the Prosecutor and the statements of some States, we see that the right of the Government of the Sudan to challenge the decision of the Pre-Trial Chamber based on articles 19 and 82 of the Statute of the ICC is being ignored while focus is being put only on the aspect of arresting the indictees and handing them over.

Once again, we stress that the Council must proceed cautiously in this case. The invitation by the Prosecutor of the International Criminal Court to the Security Council and the regional organizations to urge the Government of the Sudan to cooperate with the Court must not be interpreted as a request for action on the part of the Council against the Sudan, for this issue is a legal and judicial issue that we do not want to politicize in any way. We believe that the Prosecutor agrees with us on that matter.

Mr. Voto-Bernales (Peru) (*spoke in Spanish*): I would like to start by congratulating you, Ambassador Spatafora, on assuming the presidency of the Security Council for the month of December 2007. We are certain that under your leadership we will be able to successfully conclude of the work planned for this month. I can pledge my delegation's full support to this end. I would also like to acknowledge the work accomplished by Ambassador Natalegawa and his team and to congratulate them on the excellent manner in which they conducted the Council's work during November.

I would like to thank the Prosecutor of the International Criminal Court (ICC), Mr. Moreno-Ocampo, on his detailed and precise presentation on the investigations into the situation in Darfur and on the level of cooperation with the Government of the Sudan in this regard. What the Prosecutor has told us in his report gives rise to great concern. The lack of cooperation between the Government of the Sudan and the Prosecutor's Office and the fact that the Sudanese Government has not taken action in order to implement the arrest warrants issued by the Court is of particular concern. Additionally, one of the indictees continues to exercise official duties within the Government and, paradoxically, in the humanitarian sphere. In turn, the Prosecutor has also indicated that crimes for which the Court holds jurisdiction continue to be committed in Darfur.

We take note of the Prosecutor's view that those crimes are taking place with the knowledge of the military and civil authorities of the Sudan. The Prosecutor's evaluation of the complementarity issue has been rigorous and he has concluded that national jurisdiction has not launched nor is it in the process of launching legal proceedings in respect of those individuals sought by the Prosecutor.

The Security Council acknowledges that the situation in Darfur constitutes a serious threat to international peace and security, which has already resulted in the numerous deaths of innocent people and has endangered the lives of millions of lives of internally displaced peoples. It was this Council that referred the situation in Darfur to the ICC in 2005 with the understanding that the sanctions for the serious crimes perpetrated and the end to impunity as a dissuasive element would serve to restore peace in this region.

The Government of the Sudan has the legal obligation to cooperation with the Court in accordance with resolution 1593 (2005). As a Member State of the United Nations, the Sudan is therefore obliged to fulfil the provisions of the United Nations Charter, that is, to abide by Security Council resolutions. Its quality as a non-State party to the Rome Statute is not relevant in this context.

Therefore, we call, once again, on the Government of the Sudan to immediately arrest and to transfer Ahmad Harun and Ali Kushayb to the ICC. In turn, we are of the view that the Council must uphold the relevance of its decisions and ensure that these decisions are fulfilled. In view of the Prosecutor's report, the Security Council must act in a consequent manner in accordance with its responsibilities with regard to the maintenance of international peace and security and must, therefore, express the need for the Sudanese Government to comply with resolution 1593 (2005) and to cooperate with the ICC.

Finally, Peru would like to reiterate its support of the work accomplished by the Prosecutor of the ICC and to congratulate him on his professionalism and impartiality.

Mr. Okio (Congo) (*spoke in French*): First of all, I would like to congratulate you, Mr. President, on your assuming the presidency of the Security Council for December and, of course, to assure you of the full cooperation of my delegation. My delegation would also like to express its thanks to the Indonesian delegation and, of course, Ambassador Natelegawa for the brilliant presidency last month.

We have very carefully followed the presentation of the sixth report of the International Criminal Court (ICC) that has just been given to us by the Prosecutor, Mr. Moreno-Ocampo, who we welcome.

Having listened to his presentation, we would like to note that this report reveals the ongoing deterioration of the humanitarian situation in Darfur and the ongoing war crimes, crimes against humanity and grave violations of international humanitarian law. All this cannot fail to affect our collective conscience.

This is the opportunity for my delegation to welcome the efforts of the Prosecutor and his team. We would like to assure him of our support and we have been able to express this support to him during our meetings last August. The Congo has always supported all of the efforts of the Security Council and all actions to combat impunity.

In the specific case of Darfur, the Congo has to deplore the lack of cooperation from the Sudanese Government. Everyone involved must be brought before justice and we would like to call on the Sudanese Government to take the necessary steps under its jurisdiction. However, in saying this, the Congo would like to insist on the fact that all of the perpetrators in Darfur must be charged. Here, we are thinking as well of those on the other side, those in the rebel movements for instance. If the two indictees cited by the Prosecutor represent, as he said, the first stage, the second stage should be visible as well.

Impartiality will serve as the criterion for judging the action of the Court and, of course, the Security Council. A firm and unanimous message would be one that spared no parties. The perpetrators of attacks against the African Union peacekeepers — this was something mentioned in previous consultations — must also answer for their actions. We would call upon the ICC to pursue its inquiries in this regard. All perpetrators of crimes against humanity, human rights violations and atrocities, wherever they may be, in Darfur or elsewhere, must be made responsible for their actions.

That is the role of the Court, and we will support it in all its efforts in that regard. It is through such work, to paraphrase the representative of Belgium, that justice will become a factor for peace and stability. We agree with those who spoke earlier that the Council must provide all its support to the International Criminal Court in carrying out its work.

The President: I want, in my capacity as President, to thank very warmly all my colleagues who have expressed their congratulations and their commitment to support and cooperation. That will be essential, and as President I appreciate it very much. The strength and credibility of the Council will depend on the solidity of its unity.

I shall now make a statement in my capacity as representative of Italy.

First of all, like previous speakers, Italy strongly appreciates Mr. Moreno-Ocampo's briefing and reiterates its full support for the International Criminal Court (ICC) and its Prosecutor.

Italy reaffirms its strong conviction that the fight against impunity for serious violations of international humanitarian law and human rights law must be a priority of the international community. Such grave violations must be prosecuted and punished either at the national or the international level. That is a must, not only because such violations are intrinsically outrageous, but also because they represent a continuous threat to international peace and security.

Bearing that in mind, the Security Council, in its resolution 1593 (2005) — as many others have noted here around the table, but I think it is good to recall once more that decision of the Council, just to send the strong message that all of us want to send — decided to refer the situation in Darfur to the International Criminal Court, stating that "the Government of Sudan and all other parties to the conflict in Darfur, shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution" (*resolution 1593 (2005), para. 2*).

Cooperation is a dynamic process that requires an ongoing dialogue between all the parties concerned and mutual confidence to establish productive relationships based on mutual respect. That cannot be achieved without the fulfilment of obligations deriving from the United Nations Charter and other relevant provisions of international law. We are concerned by the reported lack of cooperation of the Government of the Sudan in the implementation of resolution 1593 (2005).

Italy commends the efforts made by various national and international actors to bring a comprehensive and lasting peace to Darfur. It must be noted, however, that those efforts have not been sufficient to relieve the civilian population from violence and suffering. In particular, further efforts have to be made to establish accountability for crimes committed in Darfur, starting with the execution of the arrest warrants issued by the ICC last April.

I think it is important to keep in mind what several previous speakers have highlighted — the multidimensional nature of the process. We have the political dimension, the security dimension, the development dimension, the humanitarian dimension and the human rights/rule of law/no culture of impunity dimension. All those tracks, as has been said, are mutually reinforcing. Mutually reinforcing means that it is not a zero-sum game. It is not, for example, that if we accelerate on the political track, we have to decelerate on other tracks. I think we have to keep that in mind.

The execution of ICC arrest warrants should not be seen as the sole purpose of the cooperation process, as has been said by other speakers before me. The prosecution of all the alleged perpetrators is of crucial importance in preventing further offences and in settling accounts with the past. We understand that investigation activities are still going on in Darfur, and in that regard Italy notes that the Prosecutor has informed the Council that his Office "has also documented attacks committed by rebel factions that warrant further investigation by the Office".

Finally, we strongly support a response of the Council, as has been mentioned by others, to the briefing heard today in order to reaffirm resolution 1593 (2005) and the need for all parties to the conflict in Darfur to cooperate fully with the International Criminal Court, including in the execution of the arrest warrants. I hope that we will be able to send a strong message.

I now resume my functions as President of the Council.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.05 p.m.

Security Council

Sixty-second year

Provisional

5790th meeting

Wednesday, 5 December 2007, 3 p.m.
New York

President:	Mr. Spatafora	(Italy)
Members:	Belgium	Mr. Verbeke
	China	Mr. Liu Zhenmin
	Congo	Mr. Biabaroh-Iboro
	France	Mr. Lacroix
	Ghana	Mr. Christian
	Indonesia	Mr. Natalegawa
	Panama	Mr. Arias
	Peru	Mr. Chávez
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Rogachev
	Slovakia	Mr. Burian
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Mr. Khalilzad

Agenda

The situation in the Middle East

Letter dated 28 November 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/684)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-62683 (E)

The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Letter dated 28 November 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/684)

The President: I should like to inform the Council that I have received a letter from the representative of Lebanon, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Salam (Lebanon) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Serge Rammers, Commissioner of the United Nations International Independent Investigation Commission.

It is so decided.

I invite Mr. Rammers to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2007/684, containing a letter dated 28 November 2007 from the Secretary-General addressed to the President of the Security Council, transmitting the ninth report of the United Nations International Independent Investigation Commission.

I now give the floor to Mr. Serge Rammers, Commissioner of the United Nations International Independent Investigation Commission. I welcome him and thank him for his briefing.

Mr. Rammers: I would like to extend thanks for this new opportunity to brief the Council on the progress made by the International Independent Investigation Commission (IIIC). This latest report covers activities since July 2007.

Over the past four months, the Commission has continued to pursue the investigation into the assassination of former Prime Minister Raffia Hariri and 22 others on 14 February 2005. The Commission has also continued to assist the Lebanese authorities in their investigations of 18 other cases of bombings and targeted assassinations in Lebanon since October 2004. This growing list of cases includes the assassination of Member of Parliament Antoine Ghana, killed on 19 September by a vehicle-borne improvised explosive device (IED) in eastern Beirut. Mr. Ghana is the sixth member of parliament killed in Lebanon since 2005.

Although the investigation is still at an early stage, initial findings indicate that the perpetrators were able to conduct surveillance and mobilize a vehicle-borne IED within a very short window of time. This and preliminary results in other cases suggest that the perpetrators had, and most likely still have, operational capabilities available in Beirut.

In the past four months, the Commission has focused on the implementation of detailed action plans in each area of the Hariri case. Since my last briefing of the Council, the Commission has conducted more than 70 interviews in Lebanon and in a number of other countries. These interviews and other investigative actions, particularly in the field of forensics and communications analysis, have allowed the Commission to further refine its understanding of the events surrounding the crime.

Progress was made in several areas in particular. These include, for example, the facts surrounding the two males who bought the Mitsubishi van used in the attack; the specific area where the suicide bomber might be from, and how and when he might have entered Lebanon; the person who disappeared with Ahmed Abu Admass and his possible links to extremist groups; and a deeper analysis of the de jure and de facto structures, means, capacities, information flows and reporting lines of certain organizations of relevance to the investigation.

In addition, the Commission has continued to extend its technical assistance to the Lebanese authorities in their investigations into the 18 other attacks, including the Ghana case. In connection with these cases, over 40 interviews were conducted by the Commission in this reporting period. The Commission has also provided the Lebanese authorities with a number of important results from forensic examinations on these cases.

In the next reporting period, the Commission will continue to implement its action plans and will pursue all open lines of inquiry.

Since my first report to the Council, I have emphasized the importance of striking a balance between the need for transparency regarding the Commission's activities, on the one hand, and the Commission's duty to protect the confidentiality of its investigation on the other hand. In this context, managing the expectations has been — and remains — an important challenge.

Over the past few months, as investigative tracks have advanced, the scope of the investigation has narrowed. As this happens, the Commission is being increasingly cautious in managing information linked to the investigations. This approach is taken in full agreement with the Lebanese judicial authorities in order to protect the security of people who cooperate, or wish to cooperate, with the Commission; to protect the rights of potential suspects; and, not least, to ensure the security of the Commission's staff. This heightened emphasis on confidentiality is also taken in the light of the foreseen transition to the Special Tribunal for Lebanon in order not to compromise any possible future legal process.

Well aware of the high expectations that were placed on the Commission from the outset, the Commission's staff and I have worked to the best of our ability to fulfil the Commission's mandate. When I arrived in Beirut almost two years ago, I inherited a very small team of six investigators. We immediately started the long process of building a more robust investigation division, particularly by adding capacities in the area of criminal and legal analysis and forensic support. Today the division consists of 47 international staff and is supported by the Commission's administrative, language and security sections.

At the outset, we started by conducting a review of the evidence collected and by designing an investigative strategy in line with international legal standards. Over the following months, the Commission launched 24 concurrent investigative projects in different areas and 66 forensic projects, the majority of which have been concluded. The objective was to address three central questions: How was the attack of 14 February 2005 planned and executed? Who prepared and carried out the attack? And why was Rafik Hariri killed?

In a first phase, new emphasis was placed on crime scene investigations using advanced forensic techniques. Over several weeks, the Commission's experts returned to the crime scene to review the evidence and started to systematically categorize and archive all the physical and biological exhibits. Databases containing those exhibits, DNA profiles, sketches and other information related to the investigation were created and are still being populated. These are important investigative tools and I expect that they will be an important legacy of the Commission.

The Commission was able to draw together the different findings regarding the container of the IED, the exact position of the IED, the trigger mechanism used, the composition of the explosives used and several other fundamental aspects of the crime in order to establish a unifying theory regarding the explosion of 14 February 2005.

Specific projects were launched to identify the physical perpetrators of the crime. These projects were designed to identify the persons conducting active surveillance on Rafik Hariri in the period leading up to the attack and to understand what role was played by the holders of the six SIM cards in this surveillance. Who bought and prepared the Mitsubishi Canter van? Who is the suicide bomber? Who is Ahmed Abu Adass and what is his involvement in this crime?

Based on hundreds of interviews and examinations, the Commission has been able to answer — or significantly narrow down its investigations into — many of these questions, as detailed in the Commission's reports to the Council over the past two years. At the same time, the Commission concentrated on the possible motives for the crime. The Commission started by examining or re-evaluating the timeline and significance of Rafik Hariri's activities in the period prior to his death, including his private, business and political

relationships both within Lebanon and internationally, as well as the threats, warnings and assurances he may have received regarding his own security.

Working by elimination, the Commission was able to progressively narrow down the list of possible motives mainly to those linked to Rafik Hariri's political activities in the months before his death, but not excluding the possibility that the motive for the crime may have arisen from a combination of factors. Throughout its investigations into all aspects of the crime, the Commission's focus has been to review, in an objective and methodical manner, the evidence collected in order to establish links — based on evidence — between the crime scene, the physical perpetrators and the remote perpetrators.

As I noted in my last briefing to the Council, the progress made in the past few months has allowed the Commission to identify a number of persons of interest who may have been involved in some aspect of the preparation and execution of the crime or who may have known that a plan to carry out this attack was being prepared.

In addition to the Hariri investigation, the Commission's mandate was expanded in December 2005 to include technical assistance to the Lebanese authorities in 14 — now 18 — other cases. In spite of the limited resources available, the Commission has sought to provide the best possible support to the Lebanese authorities investigating these cases.

In addition to its technical assistance role, the Commission has also focused on identifying links among these cases, and between these cases and the Hariri case. In previous reports, drawing mainly from analytical work, the Commission noted the existence of possible commonalities between the nature of the attacks, the modus operandi, the profiles of the victims and possible motives. The Commission's recent findings appear to indicate that some operational links may exist between some of the perpetrators of these attacks. Confirming these operational links will be one of the Commission's highest priorities in the months to come.

In my first report to the Council, I noted the challenges that the Lebanese law enforcement community faced in investigating crimes of this nature. These challenges were due in part to a lack of specific expertise. Recognizing the work being done by the Lebanese authorities in a difficult environment, I note that limited progress has been achieved in this regard, particularly in the area of crime scene investigations and cooperation between law enforcement agencies. Increased international support will be needed if these shortcomings are to be remedied.

As in the past, the Commission continues to recognize that few of these results could have been achieved without the productive cooperation which exists between the Commission and the Lebanese judicial authorities. The Commission holds almost daily meetings with the Prosecutor General and his staff, and additional meetings have been held over the past four months with the investigating judges in each of the targeted attacks. These exchanges are held in an atmosphere of mutual support, recognizing that achieving results in this investigation is, and will continue to be, the result of this partnership.

The Commission has also renewed its efforts to provide the Lebanese authorities with all the information they need to make an independent assessment of the evidence available and to act in accordance with that assessment.

Based on an understanding reached between the Commission and the Syrian authorities in January 2006, cooperation has improved considerably. With that understanding in place, the Commission was able to interview a number of Syrian officials, including at the highest echelon of the State, access archives and successfully conduct numerous missions to Syria. The Commission continues to note that this cooperation remains essential to the successful completion of the Commission's mandate.

Cooperation with other States has, since the beginning of the Commission's mandate, been of paramount importance. The Commission continues to rely on all States to provide information, make individuals available for interview and provide technical support as requested. I once again urge all States to continue to cooperate with the Commission in a full and timely manner.

I am often asked if I can predict when the investigation will be complete. Unfortunately, I cannot. Conducting an investigation is never an exact science. The completion of the investigation will depend on the final results of several still ongoing projects and on the cooperation of all States. Equally important will be the Commission's capacity — and in the next phase, the

ability of the Office of the Prosecutor — to encourage additional witnesses to come forward.

When I am asked if I am satisfied with the progress made so far, my answer is absolutely yes. Important results have been achieved in many areas of the investigation despite the numerous challenges the Commission has faced. Based on the progress made in recent months, I am more confident and optimistic than ever that the investigation can be concluded successfully. But in order to achieve these results, it is of paramount importance that the Commission continue to receive the administrative support it needs, particularly in the area of recruitment and staff retention.

While the Commission remains focused on continuing the investigation, it is also working to ensure that everything is in place for an easy transition to the Office of the Prosecutor of the Special Tribunal for Lebanon when the latter begins functioning.

The Commission's consolidated reports are being kept up to date and are being supplemented with a number of other analytical products. These are being prepared to allow the Office of the Prosecutor of the Special Tribunal to evaluate the Commission's holdings and findings and to determine the next steps in the investigation.

The Commission is also developing several projects related to the management, storage and eventual handover of its sizable amounts of data, documents, exhibits and other information. In addition, the Commission has worked with the team set up to oversee the transition on the important issue of witness protection.

As this is my last briefing to the Council as Commissioner of the International Independent Investigation Commission, allow me to conclude by thanking the Lebanese judicial authorities, the Prosecutor-General, his team and the investigating judges, with whom I have had the privilege to work for the past two years. Given the acute and ongoing political tension in Lebanon, I am also grateful for the unfailing support provided by the Lebanese Army and the Internal Security Forces in protecting the Commission's staff and premises.

I would like to thank the Commission's staff, whose dedication and commitment have been exemplary during my tenure at the helm of the Commission. Working and living in a restrictive environment, they have provided remarkable service to the Commission and to the United Nations. I wish my successor, Mr. Daniel Bellemare, the best of success.

I would also like to thank the Security Council and the Secretariat for the continued support provided to the Commission since its creation. It has been an honour for me to serve the United Nations and the cause of justice in this capacity, and for that privilege I sincerely thank the Council.

The President: I thank Mr. Brammertz for his briefing.

As has been recalled, today's Security Council meeting will be the last for Serge Brammertz in his capacity as Commissioner of the United Nations International Independent Investigation Commission. As President of the Council, I am sure that I express the feelings of all members in warmly thanking Commissioner Brammertz for his outstanding performance in carrying out a difficult and challenging mandate in a very delicate political environment. As a result of his superb work, we know that the loss of the Commission is the gain of the International Criminal Tribunal for the Former Yugoslavia, where Mr. Brammertz will soon become Prosecutor. We wish him all the best in that challenging new endeavour.

I should also like to take this opportunity to warmly welcome the new Commissioner, Mr. Daniel Bellemare. As members are aware, Mr. Bellemare will also be Prosecutor of the Special Tribunal for Lebanon. We wish him every success in that post.

I now give the floor to the representative of Lebanon.

Mr. Salam (Lebanon) (*spoke in Arabic*): The delegation of Lebanon, Sir, would like to congratulate you and your delegation on your assumption of the presidency of the Security Council for the current month. I should also like to thank the Permanent Representative of Indonesia and his team for their efforts in presiding over the Council last month.

We are now considering the last report to be submitted by Serge Brammertz in his capacity as Commissioner of the International Independent Investigation Commission, charged with investigating the assassination of Rafik Hariri, former Prime Minister of Lebanon, and his companions. Mr. Brammertz is leaving us after two years of service,

during which he bore witness to bomb attacks, political assassinations, destructive Israeli aggressions and attempts to intimidate the international forces operating in southern Lebanon.

We listened very attentively to the briefing given by Mr. Brammertz on the outcomes of the work of the Commission. Before addressing the briefing's content, we should like to congratulate this honest investigator and serious-minded jurist for his earnest, methodical, studious, solid and consistent work, which have demonstrated his professionalism, as well as for the adoption of various action plans, the submission of evidence and the assembling of the best specialized expertise. All of that has helped to create an atmosphere of trust among the States involved in the investigation with a view to promoting the necessary cooperation. We wish to thank Mr. Brammertz and his team for their two years of work, during which they built on previous accomplishments, providing a solid legal foundation for an extremely important legal investigation requested by the international community to address organized terrorist acts and repeated political crimes targeting Lebanon and its elites, whether they be Government ministers, deputies, intellectuals or defenders of free expression. Chief among them, of course, was Rafik Hariri, whose assassination was an attempt to undermine the country's stability and the safety of its people.

We wish to stress the following five points contained in the report. First, the Commission has been able to narrow the scope of its investigation through more specific preliminary conclusions regarding the circumstances surrounding the crime, including the identities of additional individuals concerned.

Secondly, there is more specific clarification of the presumed motives for the assassination, which can be linked to Prime Minister Hariri's political activities in the run-up to the elections and in the months and years before the assassination. These factors include the adoption of resolution 1559 (2004); the extension of the term of President Emile Lahoud; the electoral law reform; and the political status of Mr. Hariri prior to the parliamentary elections of 2005.

Thirdly, conclusions have been reached proving the hypothesis that there were operational links between the presumed perpetrators of the crime and the bombings and terrorist acts that followed the assassination. The Commission has provided support to the Lebanese authorities, enabling them to investigate those links.

Fourthly, the Commission has made progress in transferring its work to the Office of the Prosecutor of the Special Tribunal for Lebanon, in accordance with the recommendations of the Secretary-General and resolution 1757 (2007). This process includes the preparation of documents, data files and elements of evidence, as well as the formulation of a draft strategy for establishing a witness protection programme, updating information and setting up plans for the liquidation of the Commission's assets in accordance with United Nations procedures.

Fifthly — and perhaps this is the most serious point — the Commission has established that the evidence it has gathered concerning the assassination of Rafik Hariri and other incidents, including the recent assassination of Lebanese Member of Parliament Antoine Ghanem, show that the perpetrators or teams of perpetrators are still able to move rapidly in Beirut and still have wide-ranging and well-developed operational capabilities. These groups have also been able to draw on the expertise of specialized teams and resources.

As his mandate comes to an end, I wish to express to Commissioner Brammertz the gratitude of the Lebanese Government for the work accomplished by the Commission and to wish him every success in the future. We are certain that the International Criminal Tribunal for the Former Yugoslavia will benefit from his profound practical and legal expertise.

We would also like to take this opportunity to thank the Secretary-General for his decision to appoint Mr. Daniel Bellemare as the successor to Commissioner Brammertz and as Prosecutor of the Special Tribunal for Lebanon when it assumes its functions. We also applaud the response of the Security Council to this new appointment.

We are approaching the third anniversary of the assassination of Prime Minister Rafik Hariri and his colleagues, and we also recall the assassination of other martyrs who had sought to consolidate the independence of Lebanon and defend its freedoms. We wish to express our appreciation to the Council, which was able resolutely to shoulder its responsibilities by establishing the International Independent Investigation Commission. The Council also exercised its responsibility by listening carefully to the periodic

reports that were submitted and by developing the Statute of the Special Tribunal for Lebanon. The Council has thus entrusted the Secretary-General with the task of taking all necessary measures to ensure that the requisite conditions are in place for the Tribunal to start its work soon so that justice is done and so that these terrorist criminals receive the punishment that they deserve.

The President: There are no further speakers on my list. In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on this subject.

The meeting rose at 3.40 p.m.

United Nations S/PV.5791

Security Council

Sixty-second year

Provisional

5791st meeting

Thursday, 6 December 2007, 10 a.m.

New York

President:	Mr. Spatafora	(Italy)
Members:	Belgium	Mr. Verbeke
	China	Mr. Liu Zhenmin
	Congo	Mrs. Itoua Apoyolo
	France	Mr. De Rivière
	Ghana	Mr. Christian
	Indonesia	Mr. Natalegawa
	Panama	Mr. Suescum
	Peru	Mr. Voto-Bernales
	Qatar	Mr. T. Al-Ansari
	Russian Federation	Mr. Safronkov
	Slovakia	Mr. Burian
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Ms. Wolcott

Agenda

Security Council mission

Briefing by the head of the Security Council mission to Timor-Leste

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-62902 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council mission

Briefing by the head of the Security Council mission to Timor-Leste

The President: I should like to inform the Council that I have received a letter from the Permanent Representative of Timor-Leste, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Santos (Timor-Leste) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Council will hear a briefing by His Excellency Ambassador Dumisani Kumalo, the Permanent Representative of South Africa and head of the Security Council mission to Timor-Leste.

I would like first of all to welcome the return of the members of the Council and of the Secretariat who took part in the mission to Timor-Leste.

I now give the floor to His Excellency Mr. Dumisani Kumalo, head of the Security Council mission to Timor-Leste.

Mr. Kumalo (South Africa): South Africa was honoured to lead the Security Council mission to Timor-Leste, comprising six delegations, namely, China, Indonesia, the Russian Federation, Slovakia, South Africa and the United States of America. The mission left New York on 24 November and returned on 1 December 2007.

The purpose of the visit was to encourage the Government, the parliament, the political parties and the people of Timor-Leste to continue to work together, engage in political dialogue and consolidate peace, democracy and the rule of law, security sector reform, sustainable social and economic development and national reconciliation in their country. It also sought to discuss and exchange views with the Timorese authorities on ways and means to assist the country in developing the capacities necessary to build on security and democratic and other gains achieved thus far and to express the Security Council's full support for the United Nations Integrated Mission in Timor-Leste (UNMIT) in the country and the United Nations presence in Timor-Leste, and to assess the progress made on the ground relating to the implementation of UNMIT's mandate.

During its visit to Timor-Leste, the mission met with various interlocutors in Government, including the President, the Prime Minister, the Minister for Foreign Affairs, members of the judiciary, the national parliament and political parties, including the leader of the main opposition party. The mission also held interactions with non-governmental organizations and representatives of women's, youth and church groups, as well as representatives of UNMIT and other United Nations agencies on the ground. The mission also received a briefing from the International Stabilisation Force led by Australia and New Zealand.

On 28 November, at the invitation of the Government, the mission participated in the national day celebrations of Timor-Leste's independence

Meanwhile, the mission conducted field visits in the districts of Liquiçá and Baucau outside Dili, in order to listen to the views and concerns of the people on the ground. In Baucau, members of the mission visited a United Nations-sponsored school, where the World Food Programme and UNICEF are involved in feeding the children. The mission also visited a camp for internally displaced persons near Dili hospital to hear of the challenges faced by the people in the camps.

The general political situation in Timor-Leste remains calm and stable, but fragile. Following the successful conclusion of presidential and parliamentary elections held in May and June this year, respectively, the new Government has recently completed its first 100 days in office and new ministers and office bearers started with their work. The mission noted that while there are high expectations among the Timorese

people, the new Government is also grappling with establishing its policies and institutions. One of the issues the Government was grappling with during our visit was the national budget.

All the interlocutors that the mission met indicated that Timor-Leste is experiencing stability and peace. However, there is a collective view that the issues of the IDPs, the so-called "petitioners" who are former soldiers who deserted the army and the unresolved case of Major Alfredo Reinado, who also left the army, cause uncertainty and divisions among the people and leadership of Timor-Leste.

In its meetings with interlocutors, the mission emphasized the need for political dialogue, reconciliation and political engagement among the country's leadership. The mission observed that at the core of those concerns there seem to be continuing differences regarding the country's political direction between the ruling Alliance for Parliamentary Majority (AMP) led by Prime Minister Gusmão, and the main opposition party, FRETILIN, led by former Prime Minister Alkatiri. Most of the mission interlocutors argued that those differences concern the constitutionality and legitimacy of the current Government and its ability to govern. The good news, however, was that despite the political differences among the parties, all 15 political parties, including FRETILIN, were working together in parliament and elsewhere, trying to address the challenges facing their country.

The mission also recognized that the challenges of governance and the legacy of the violent crisis of 2006 and its aftermath continue to haunt the country's political leadership and to affect the people of Timor-Leste. Related to these are the unresolved issues of petitioners, the fate of 100,000 IDPs currently settled in about 53 camps and the humanitarian and socio-economic challenges that the country continues to face.

With regard to the capacity of State institutions, the mission noted that Timor-Leste faces challenges associated with weak institutions, lack of capacity and difficulties in areas of governance.

The mission highlighted the need for collective responsibility among Timorese people and their leaders to find solutions to their challenges. In the short term, it is crucial that the Government of Timor-Leste, with the support of the United Nations and the international community, work together to improve the living conditions of the IDPs. In this regard, the mission repeatedly emphasized the need for Timorese ownership of their fate and the need to engage in political dialogue and reconciliation and continuous engagement in addressing those challenges. There was no doubt that the challenges that face Timor-Leste could be best addressed by all Timorese people. Despite the challenges facing the country, the mission was encouraged by the well-functioning democracy in Timor-Leste.

On the matters of reform of the security sector, the mission and its Timorese interlocutors agreed that both the security and justice sectors were in need of strengthening. In this context, the mission recognized from its interactions with its interlocutors that the 2006 crisis was a result of challenges within the two security institutions, namely the national police — the PNTL — and national defence —the F-FDTL. The mission stressed the urgent need for reform of those institutions and the importance of a Government strategy to address this issue.

In the meantime, the mission noted that despite acknowledging the important role the United Nations and the international security forces are playing in their country, some interlocutors expected those international institutions to respect local culture and institutions as well as to provide the space for Timorese ownership of some operational activities. The missions also expressed its hope that the role of the United Nations police will be reviewed to ensure maximum results. In this context, the mission recognized the need to send a team of experts from the United Nations Department of Peacekeeping Operations to assess the situation and ways and means to improve it.

Regarding the role of UNMIT, all of the mission's interlocutors emphasized the importance of the continued presence of the UNMIT and the United Nations in Timor-Leste. Everyone we met called for the UNMIT presence in the country to be continued. The mission stressed to all its interlocutors the importance of utilizing the United Nations presence to achieve self-reliance and self-sustenance. The mission commended UNMIT for its continuous work in Timor-Leste and recalled that it was the Security Council that would consider the extension of UNMIT's mandate when it expires on 28 February 2008.

Lastly, it is worth noting that following the 2006 violent crisis, the country has recovered very well and, with the support of the international community, even managed to organize, prepare and hold free and fair presidential and parliamentary elections earlier this year. Despite the challenges associated with the results of the parliamentary elections, a new Government is in place, political parties are represented in parliament and civil society seems to be flourishing.

On the other hand, the country faces enormous challenges associated with the political differences among leaders in resolving critical issues facing the country, such as socio-economic difficulties associated with widespread unemployment and poverty. In the humanitarian sphere, the plight of the IDPs remains a big task facing the people and Government of Timor-Leste.

Despite those challenges, the mission left Timor-Leste convinced that the country is on the right path to regaining its role as a peaceful, stable, united and prosperous country.

In conclusion, I would like to express my sincere gratitude to the representatives of China, Indonesia, the Russian Federation, Slovakia and the United States of America for their unwavering support and patience during the mission.

On behalf of my colleagues who participated in the mission, I would like to thank the Government and people of Timor-Leste for their hospitality, assistance and cooperation, as well as the entire staff of UNMIT for providing us the necessary support during the Security Council mission to Timor-Leste. We particularly wish to note the invaluable support from the Government of Indonesia in assisting the delegation with smooth transit to Timor-Leste.

Finally, I cannot end without thanking our support team of Ms. Norma Chan, Ms. Signe Jepsen, Ms. Vijayalakshmi Menon, Ms. Paula Gonçalves and Mr. Troels Erichsen, all of the Security Council Secretariat Branch and the United Nations security personnel respectively, for their tireless efforts and support during the preparatory stage and also during the mission. We thank them for their professional and tireless efforts.

The President: I thank Ambassador Kumalo for his very interesting and very crisp briefing. I think that the political substance of what he has told us, as well as what we have read in the press about how he was received and the importance that the Timorese gave to the mission, confirms how appropriate and wise was the decision of the Council to send the mission to Timor-Leste. I think it is also a lesson learned for the future, when we will consider how to plan that sort of mission. It will not be in a 15-member composition, but I am convinced — of course, I am talking in my national capacity — that more and more such missions, which show the flag of the United Nations and that the United Nations is near the countries involved, are needed.

On behalf of all the Council, I should like to express gratitude and very strong appreciation to all of the members of the Security Council mission, so ably led by Ambassador Kumalo, for the manner in which they discharged their important responsibility on behalf of the Council. I would also like to join my voice to Ambassador Kumalo's in thanking the Secretariat for all the invaluable assistance it has provided for the success of the mission.

I now give the floor to the representative of Timor-Leste.

Mr. Santos (Timor-Leste): I take this opportunity to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of December and to pledge to you my delegation's fullest support. I would further like to express our delegation's appreciation to your predecessor, Ambassador Natalegawa, for the effective and excellent manner in which he and his team conducted the deliberations and the work of the Council during the month of November.

Through you, Sir, allow me to express, on behalf of my President, the Government of Timor-Leste and the people of Timor-Leste, our most profound gratitude for honouring us with the recent visit of the Security Council to the country, led by Ambassador Kumalo of South Africa.

We are particularly grateful to the Council members who visited our nascent democracy for enduring long travel hours and for having given their precious time to travel all the way to one of the most distant places from the vibrant city of New York.

Albeit considerable progress has been made since the crisis in April 2006, the fact remains that the challenges facing Timor-Leste are enormous, and

therefore, although the atmosphere of general improvement of peace and security is welcome, it should not be replaced by complacency or another premature celebration. I wish to assure the Council that the President of the Republic, the people and the Government of Timor-Leste are doing our best and all that we can to consolidate peace and stability in order, first, to free our people from poverty and, secondly but no less importantly, to absolve the United Nations of its responsibilities in that regard.

In his speech to the General Assembly during the general debate of the sixty-second session, the President of the Republic, Mr. Ramos-Horta, recognized that the international community faces a number of critical situations around the world that are more serious and with much greater strategic importance and implications for regional and world peace and security than the situation in Timor-Leste.

Timor-Leste does not want to create a culture of dependency. We have been dependent on others for too long. In fact, we never struggled to be dependent, but to be sustainable and independent. This period is one in which we need to be interdependent on our friends in the international community through the key multilateral mechanisms of the United Nations, and we require continued support to assist us in the consolidation of our goal. Therefore, I can state that continued United Nations engagement is important to further stabilize the situation, strengthen our national institutions and consolidate peace and democracy.

In conclusion, I wish to reiterate our most sincere gratitude to the Security Council for honouring us with its visit, and I would like to thank the team members, notably members of the Secretariat, who accompanied the mission to Timor-Leste and helped pave the way for a successful visit.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.35 a.m.